

18A:58-37.8 to 18A:58-37.14

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2016 **CHAPTER:** 49

NJSA: 18A:58-37.8 to 18A:58-37.14 (“Secure Schools for All Children Act”; establishes State aid program for security services, equipment, or technology to ensure safe and secure school environment for nonpublic school students.)

BILL NO: A2689 (Substituted for S754)

SPONSOR(S) Schaer and others

DATE INTRODUCED: February 8, 2016

COMMITTEE: **ASSEMBLY:** Education
 SENATE: Budget and Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 27, 2016
 SENATE: June 27, 2016

DATE OF APPROVAL: September 6, 2016

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint enacted)

A2689

SPONSOR’S STATEMENT: (Begins on page 3 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes
LEGISLATIVE FISCAL ESTIMATE:	Yes April 12, 2016 July 6, 2016

S754

SPONSOR’S STATEMENT: (Begins on page 3 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: No
	SENATE: Yes
FLOOR AMENDMENT STATEMENT:	Yes
LEGISLATIVE FISCAL ESTIMATE:	No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie marks school year's start, signs 6 education bills," Associated Press Wire: New Jersey, September 6, 2016

"No suspension before 3rd grade as Christie signs bills," Press of Atlantic City, September 7, 2016

"Christie blasts teachers union, wants longer school year," Burlington County Times, September 7, 2016

"Caldwell Christie signs education bills," Star-Ledger, September 8, 2016

"Christie kicks off new school year with education reform bills," NJTV, September 6, 2016

"Christie uses back-to-school bill-signing to draw attention to school funding proposal," NorthJersey.com, September 6, 2016

"Christie: Private schools will get state money for security," nj.com, September 7, 2016

RWH/CL

ASSEMBLY, No. 2689

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 8, 2016

Sponsored by:

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblyman JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman TIM EUSTACE

District 38 (Bergen and Passaic)

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

Assemblyman ROBERT AUTH

District 39 (Bergen and Passaic)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Co-Sponsored by:

**Assemblywomen McKnight, Pinkin, Assemblymen Rible, Holley,
Assemblywoman Jones, Assemblyman Diegnan, Assemblywoman Caride
and Assemblyman Chiaravalloti**

SYNOPSIS

“Secure Schools for All Children Act”; establishes State aid program for security services, equipment, or technology to ensure safe and secure school environment for nonpublic school students.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 4/8/2016)

1 AN ACT concerning security aid for nonpublic school students and
2 supplementing chapter 58 of Title 18A of the New Jersey
3 Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. This act shall be known and may be cited as the "Secure
9 Schools for All Children Act."

10
11 2. As used in this act:

12 "Nonpublic school" means an elementary or secondary school
13 within the State, other than a public school, offering education for
14 grades kindergarten through 12, or any combination of them,
15 wherein any child may legally fulfill compulsory school attendance
16 requirements and which complies with the requirements of Title VI
17 of the "Civil Rights Act of 1964," Pub.L.88-352, (42 U.S.C.
18 s.2000d et seq.).

19 "Support limit" means the maximum amount which may be
20 appropriated each year for the purposes of this act for each student
21 enrolled full-time in nonpublic schools of the State.

22
23 3. A board of education of a school district in which a nonpublic
24 school is located shall within the limit of funds appropriated or
25 otherwise made available, adopt policies and procedures to provide
26 the students who are enrolled full-time in the nonpublic school with
27 security services, equipment, or technology to help ensure a safe
28 and secure school environment.

29
30 4. a. The superintendent of schools of each school district in
31 which a nonpublic school is located shall confer annually with the
32 chief school administrator of each of the nonpublic schools to:

33 (1) advise the nonpublic school of the limit of funds available
34 pursuant to this act;

35 (2) agree upon the security services, equipment, or technology
36 to be provided to the students of the nonpublic school, within the
37 limit of the funds that are available; and

38 (3) agree on the date when the board of education will meet to
39 approve how the security services, equipment, or technology will be
40 provided to the students of the nonpublic school.

41 b. In the event that the superintendent of schools and the chief
42 school administrator of the nonpublic school are unable to agree
43 regarding the security services, equipment, or technology to be
44 provided for a safe and secure school environment, the executive
45 county superintendent shall be consulted to determine the security
46 services, equipment, or technology to be provided. The decision of
47 the executive county superintendent shall be final.

1 5. a. The support limit for the 2016-2017 school year shall be
2 \$144.42. For each school year thereafter the commissioner shall
3 determine the support limit by multiplying the support limit for the
4 previous school year times the sum of 1.0 plus the average annual
5 percentage increase in the consumer price index for the New York
6 and Philadelphia areas during the fiscal year preceding the
7 prebudget year as reported by the United States Department of
8 Labor.

9 b. On or before November 5 of each year, each board of
10 education shall forward to the Commissioner of Education an
11 estimate of the cost of providing, during the next school year, the
12 security services, equipment, or technology required pursuant to
13 this act and the number of students attending nonpublic schools
14 located within the district as of the last school day of October of the
15 current school year. The commissioner shall provide State aid to
16 each school district in an amount equal to the number of nonpublic
17 school students within the district identified by the district on or
18 before November 5 multiplied by the State support limit. In the
19 event that the expenditure incurred by any district is less than the
20 amount of State aid received, the district shall refund the
21 unexpended State aid after the completion of the school year, but
22 not later than December 1 of the following school year.

23 c. If in any year, the amount of State aid appropriated is
24 insufficient to carry out in full the provisions of this act, the
25 commissioner shall apportion that appropriation among the districts
26 in proportion to the State aid each district would have received had
27 the full amount of State aid been appropriated. In any year, no
28 district shall be required to make expenditures for the purposes of
29 this act in excess of the amount of State aid received for these
30 purposes.

31

32 6. The State Board of Education shall promulgate rules pursuant
33 to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
34 1 et seq.), to effectuate the provisions of this act in a manner that
35 comports with the provisions of the State and federal Constitutions,
36 including a list of allowable expenditures for security services,
37 equipment, or technology to ensure a safe and secure school
38 environment for nonpublic school students.

39

40 7. This act shall take effect immediately and shall first apply to
41 the 2016-2017 school year.

42

43

44

STATEMENT

45

46 This bill is entitled the “Secure Schools for All Children Act.” The
47 bill establishes a State aid program for the provision of security

1 services, equipment, or technology to help ensure a safe and secure
2 school environment for students attending nonpublic schools.

3 Under the provisions of the bill the superintendent of schools of
4 each school district in which a nonpublic school is located will confer
5 annually with the chief school administrator of the nonpublic school.
6 The superintendent and the chief school administrator will confer in
7 order to agree upon the security services, equipment, or technology
8 that will be provided to the students of the nonpublic school within the
9 limits of available funds. If the superintendent and the chief school
10 administrator are unable to agree on the security services, equipment,
11 or technology, then the executive county superintendent will make the
12 final determination.

13 Beginning in the 2016-2017 school year, the maximum amount or
14 State support limit which may be appropriated for the purposes of the
15 bill is \$144.42 per nonpublic school student. This amount reflects the
16 average per pupil amount that is provided to public schools for school
17 security. The amount will be increased each school year by the
18 consumer price index. Each year the school district will forward to the
19 Commissioner of Education an estimate of the cost of providing,
20 during the next school year, the security services, equipment, or
21 technology required pursuant to the bill and the number for students
22 attending the nonpublic school located within the district as of the last
23 school day of October of the current school year. The commissioner
24 will provide State aid to the district in an amount equal to the number
25 of nonpublic school students multiplied by the State support limit.

26 The State Board of Education is required to promulgate rules to
27 effectuate the bill's provisions in a manner that comports with the
28 provisions of the State and federal Constitutions. The rules to be
29 promulgated will include a list of allowable expenditures for the
30 security services, equipment, and technology to help ensure a safe and
31 secure school environment for nonpublic school students.

P.L.2016, CHAPTER 49, *approved September 6, 2016*
Assembly, No. 2689 (*Second Reprint*)

1 **AN ACT** concerning security aid for nonpublic school students and
2 supplementing chapter 58 of Title 18A of the New Jersey
3 Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. This act shall be known and may be cited as the "Secure
9 Schools for All Children Act."

10
11 2. As used in this act:
12 "Nonpublic school" means an elementary or secondary school
13 within the State, other than a public school, offering education for
14 grades kindergarten through 12, or any combination of them,
15 wherein any child may legally fulfill compulsory school attendance
16 requirements and which complies with the requirements of Title VI
17 of the "Civil Rights Act of 1964," Pub.L.88-352, (42 U.S.C.
18 s.2000d et seq.).

19 "Support limit" means the maximum amount which may be
20 appropriated each year for the purposes of this act for each student
21 enrolled full-time in nonpublic schools of the State.

22
23 3. A board of education of a school district in which a
24 nonpublic school is located shall within the limit of funds
25 appropriated or otherwise made available, adopt policies and
26 procedures to provide the students who are enrolled full-time in the
27 nonpublic school with security services, equipment, or technology
28 to help ensure a safe and secure school environment.

29
30 4. a. The superintendent of schools of each school district in
31 which a nonpublic school is located shall confer annually with the
32 chief school administrator of each of the nonpublic schools to:

33 (1) advise the nonpublic school of the limit of funds available
34 pursuant to this act;

35 (2) agree upon the security services, equipment, or technology
36 to be provided to the students of the nonpublic school, within the
37 limit of the funds that are available; and

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:

¹Senate SBA committee amendments adopted June 23, 2016.

²Senate floor amendments adopted June 27, 2016.

1 (3) agree on the date when the board of education will meet to
2 approve how the security services, equipment, or technology will be
3 provided to the students of the nonpublic school.

4 b. In the event that the superintendent of schools and the chief
5 school administrator of the nonpublic school are unable to agree
6 regarding the security services, equipment, or technology to be
7 provided for a safe and secure school environment, the executive
8 county superintendent shall be consulted to determine the security
9 services, equipment, or technology to be provided. The decision of
10 the executive county superintendent shall be final.

11
12 5. a. The support limit for the 2016-2017 school year shall be
13 ¹[\$144.42] \$75¹. For each school year thereafter the commissioner
14 shall determine the support limit by multiplying the support limit
15 for the previous school year times the sum of 1.0 plus the average
16 annual percentage increase in the consumer price index for the New
17 York and Philadelphia areas during the fiscal year preceding the
18 prebudget year as reported by the United States Department of
19 Labor.

20 b. On or before November 5 of each year, each board of
21 education shall forward to the Commissioner of Education an
22 estimate of the cost of providing, during the next school year, the
23 security services, equipment, or technology required pursuant to
24 this act and the number of students attending nonpublic schools
25 located within the district as of the last school day of October of the
26 current school year. The commissioner shall provide State aid to
27 each school district in an amount equal to the number of nonpublic
28 school students within the district identified by the district on or
29 before November 5 multiplied by the State support limit. In the
30 event that the expenditure incurred by any district is less than the
31 amount of State aid received, the district shall refund the
32 unexpended State aid after the completion of the school year, but
33 not later than December 1 of the following school year.

34 c. If in any year, the amount of State aid appropriated is
35 insufficient to carry out in full the provisions of this act, the
36 commissioner shall apportion that appropriation among the districts
37 in proportion to the State aid each district would have received had
38 the full amount of State aid been appropriated. In any year, no
39 district shall be required to make expenditures for the purposes of
40 this act in excess of the amount of State aid received for these
41 purposes.

42
43 ¹6. A school district and a nonpublic school and their employees
44 shall be immune from civil liability in the provision of security
45 services, equipment, or technology pursuant to the provisions of this
46 act ², except for actions that constitute gross negligence or willful
47 misconduct ². ¹
48

49 ¹[6.] ⁷. ¹ The State Board of Education shall promulgate rules
50 pursuant to the "Administrative Procedure Act," P.L.1968, c.410

1 (C.52:14B-1 et seq.), to effectuate the provisions of this act in a
2 manner that comports with the provisions of the State and federal
3 Constitutions, including a list of allowable expenditures for security
4 services, equipment, or technology to ensure a safe and secure
5 school environment for nonpublic school students.

6

7 ¹**[7.] 8.**¹ This act shall take effect immediately and shall first
8 apply to the 2016-2017 school year.

9

10

11

12

13 _____
14 “Secure Schools for All Children Act”; establishes State aid
15 program for security services, equipment, or technology to ensure
safe and secure school environment for nonpublic school students.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2689

STATE OF NEW JERSEY

DATED: MARCH 3, 2016

The Assembly Education Committee reports favorably Assembly Bill No. 2689.

This bill is entitled the “Secure Schools for All Children Act.” The bill establishes a State aid program for the provision of security services, equipment, or technology to help ensure a safe and secure school environment for students attending nonpublic schools.

Under the provisions of the bill the superintendent of schools of each school district in which a nonpublic school is located will confer annually with the chief school administrator of the nonpublic school. The superintendent and the chief school administrator will confer in order to agree upon the security services, equipment, or technology that will be provided to the students of the nonpublic school within the limits of available funds. If the superintendent and the chief school administrator are unable to agree on the security services, equipment, or technology, then the executive county superintendent will make the final determination.

Beginning in the 2016-2017 school year, the maximum amount or State support limit which may be appropriated for the purposes of the bill is \$144.42 per nonpublic school student. This amount reflects the average per pupil amount that is provided to public schools for school security. The amount will be increased each school year by the consumer price index. Each year the school district will forward to the Commissioner of Education an estimate of the cost of providing, during the next school year, the security services, equipment, or technology required pursuant to the bill and the number for students attending the nonpublic schools located within the district as of the last school day of October of the current school year. The commissioner will provide State aid to the district in an amount equal to the number of nonpublic school students multiplied by the State support limit.

The State Board of Education is required to promulgate rules to effectuate the bill’s provisions in a manner that comports with the provisions of the State and federal Constitutions. The rules to be promulgated will include a list of allowable expenditures for the security services, equipment, and technology to help ensure a safe and secure school environment for nonpublic school students.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 2689
STATE OF NEW JERSEY
217th LEGISLATURE

DATED: APRIL 12, 2016

SUMMARY

Synopsis: “Secure Schools for All Children Act”; establishes State aid program for security services, equipment, or technology to ensure safe and secure school environment for nonpublic school students.

Type of Impact: Expenditure Increase in General Fund

Agencies Affected: Department of Education; School Districts

Office of Legislative Services Estimate

Fiscal Impact	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
State Cost	\$21.7 million	\$21.9 million	\$22.2 million

- The Office of Legislative Services (OLS) estimates that Assembly Bill No. 2689 would increase State expenditures by \$21.7 million in the first school year following enactment, and anticipates that the cost would increase by one percent in each of the subsequent two school years. This estimate assumes that the security aid program would support the provision of security services, equipment, or technology for 150,000 nonpublic school students, which is approximately the number of students for whom nonpublic nursing services aid has been provided in recent years.

BILL DESCRIPTION

Assembly Bill No. 2689 of 2016 requires school districts to provide security services, equipment, or technology to nonpublic schools located in the district, within the limits of the funds available for that purpose. Each year, the superintendent of schools and the chief school administrators of the nonpublic schools located in that district must reach an agreement regarding the security services, equipment, or technology that the school district will provide to the nonpublic schools. In the event that an agreement is not reached, the executive county superintendent of schools will make the final determination.

Each school year, the school district will receive funding for this purpose in an amount equal to the support limit multiplied by the number of students enrolled in nonpublic schools located in that district. In the 2016-2017 school year, the support limit would equal \$144.82 per pupil; in each subsequent school year, the support limit applicable in the prior year would be adjusted by

the change in the consumer price index. If a school district, in the course of providing security services, equipment, or technology to nonpublic schools, expends less than the amount of State funding provided, then the unexpended amount would be refunded to the State no later than December 1 of the following school year.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that Assembly Bill No. 2689 would increase State expenditures by \$21.7 million in the first year. The OLS reached this estimate by multiplying the approximate number of students enrolled in nonpublic schools who receive nonpublic nursing services from the school district in which the nonpublic school is located (150,000) by the \$144.82 per pupil support limit established under the bill. The analysis further assumes that the consumer price index would increase by one percent in each of the two subsequent school years,¹ while nonpublic school enrollment would remain steady. Based on these assumptions, the additional cost of Assembly Bill No. 2689 in the second and third years would be \$21.9 million and \$22.2 million, respectively.

Section: Education

*Analyst: Allen T. Dupree
Principal Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

¹ The change in the consumer price index applicable to the 2016-2017 school year is 0.57 percent.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO ASSEMBLY, No. 2689

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 23, 2016

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 2689, with committee amendments.

As amended, this bill, entitled the “Secure Schools for All Children Act,” establishes a State aid program for the provision of security services, equipment, or technology to help ensure a safe and secure school environment for students attending nonpublic schools.

Under the provisions of the bill, the superintendent of schools of each school district in which a nonpublic school is located will confer annually with the chief school administrator of the nonpublic school. The superintendent and the chief school administrator will confer in order to agree upon the security services, equipment, or technology that will be provided to the students of the nonpublic school within the limits of available funds. If the superintendent and the chief school administrator are unable to agree on the security services, equipment, or technology, then the executive county superintendent will make the final determination.

Beginning in the 2016-2017 school year, the maximum amount or State support limit which may be appropriated for the purposes of the bill is \$75 per nonpublic school student. The amount will be increased each school year by the consumer price index. Each year the school district will forward to the Commissioner of Education an estimate of the cost of providing, during the next school year, the security services, equipment, or technology required pursuant to the bill and the number of students attending the nonpublic schools located within the district as of the last school day of October of the current school year. The commissioner will provide State aid to the district in an amount equal to the number of nonpublic school students multiplied by the State support limit.

The State Board of Education is required to promulgate rules to effectuate the bill’s provisions in a manner that comports with the provisions of the State and federal Constitutions. The rules to be promulgated will include a list of allowable expenditures for the security services, equipment, and technology to help ensure a safe and secure school environment for nonpublic school students.

As amended and reported, this bill is identical to Senate Bill No. 754, as also amended and reported by the committee.

COMMITTEE AMENDMENTS:

The committee amendments change the first school year State support limit from \$144.42 to \$75 per nonpublic school student. The committee amendments also provide immunity from civil liability for school districts and nonpublic schools and their employees in the provision of security services, equipment, or technology pursuant to the provisions of the bill.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that this bill, with committee amendments, would increase State expenditures by \$11.3 million in the first year. The OLS reached this estimate by multiplying the approximate number of students enrolled in nonpublic schools who receive nonpublic nursing services from the school district in which the nonpublic school is located (150,000) by the \$75 per pupil support limit established under the bill. The analysis further assumes that the consumer price index would increase by one percent in each of the two subsequent school years, while nonpublic school enrollment would remain steady. Based on these assumptions, the additional cost of the bill in the second and third years would be \$11.4 million and \$11.5 million, respectively.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 2689

with Senate Floor Amendments
(Proposed by Senator BEACH)

ADOPTED: JUNE 27, 2016

This floor amendment provides that the immunity from civil liability given to school districts and nonpublic schools and their employees under the provisions of the bill will not include actions that constitute gross negligence or willful misconduct.

SENATE, No. 754

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

Senator ROBERT M. GORDON

District 38 (Bergen and Passaic)

Co-Sponsored by:

Senators P.Barnes, III, T.Kean, Weinberg and Cunningham

SYNOPSIS

“Secure Schools for All Children Act”; establishes State aid program for security services, equipment, or technology to ensure safe and secure school environment for nonpublic school students.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 6/24/2016)

S754 BEACH, GORDON

2

1 AN ACT concerning security aid for nonpublic school students and
2 supplementing chapter 58 of Title 18A of the New Jersey
3 Statutes.

4

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

7

8 1. This act shall be known and may be cited as the "Secure
9 Schools for All Children Act."

10

11 2. As used in this act:

12 "Nonpublic school" means an elementary or secondary school
13 within the State, other than a public school, offering education for
14 grades kindergarten through 12, or any combination of them,
15 wherein any child may legally fulfill compulsory school attendance
16 requirements and which complies with the requirements of Title VI
17 of the "Civil Rights Act of 1964," Pub.L.88-352, (42 U.S.C.
18 s.2000d et seq.).

19 "Support limit" means the maximum amount which may be
20 appropriated each year for the purposes of this act for each student
21 enrolled full-time in nonpublic schools of the State.

22

23 3. A board of education of a school district in which a
24 nonpublic school is located shall within the limit of funds
25 appropriated or otherwise made available, adopt policies and
26 procedures to provide the students who are enrolled full-time in the
27 nonpublic school with security services, equipment, or technology
28 to help ensure a safe and secure school environment.

29

30 4. a. The superintendent of schools of each school district in
31 which a nonpublic school is located shall confer annually with the
32 chief school administrator of each of the nonpublic schools to:

33 (1) advise the nonpublic school of the limit of funds available
34 pursuant to this act;

35 (2) agree upon the security services, equipment, or technology
36 to be provided to the students of the nonpublic school, within the
37 limit of the funds that are available; and

38 (3) agree on the date when the board of education will meet to
39 approve how the security services, equipment, or technology will be
40 provided to the students of the nonpublic school.

41 b. In the event that the superintendent of schools and the chief
42 school administrator of the nonpublic school are unable to agree
43 regarding the security services, equipment, or technology to be
44 provided for a safe and secure school environment, the executive
45 county superintendent shall be consulted to determine the security
46 services, equipment, or technology to be provided. The decision of
47 the executive county superintendent shall be final.

S754 BEACH, GORDON

1 confer annually with the chief school administrator of the nonpublic
2 school. The superintendent and the chief school administrator will
3 confer in order to agree upon the security services, equipment, or
4 technology that will be provided to the students of the nonpublic
5 school within the limits of available funds. If the superintendent
6 and the chief school administrator are unable to agree on the
7 security services, equipment, or technology, then the executive
8 county superintendent will make the final determination.

9 Beginning in the 2015-2016 school year, the maximum amount
10 or State support limit which may be appropriated for the purposes
11 of the bill is \$25 per nonpublic school student. This amount will be
12 increased each school year by the consumer price index. Each year
13 the school district will forward to the Commissioner of Education
14 an estimate of the cost of providing, during the next school year, the
15 security services, equipment, or technology required pursuant to the
16 bill and the number for students attending the nonpublic school
17 located within the district as of the last school day of October of the
18 current school year. The commissioner will provide State aid to the
19 district in an amount equal to the number of nonpublic school
20 students multiplied by the State support limit.

21 The State Board of Education is required to promulgate rules to
22 effectuate the bill's provisions in a manner that comports with the
23 provisions of the State and federal Constitutions. The rules to be
24 promulgated will include a list of allowable expenditures for the
25 security services, equipment, and technology to help ensure a safe
26 and secure school environment for nonpublic school students.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 2689

STATE OF NEW JERSEY 217th LEGISLATURE

DATED: JULY 6, 2016

SUMMARY

- Synopsis:** “Secure Schools for All Children Act”; establishes State aid program for security services, equipment, or technology to ensure safe and secure school environment for nonpublic school students.
- Type of Impact:** Expenditure Increase in General Fund
- Agencies Affected:** Department of Education; School Districts

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	\$11.3 million	\$11.4 million	\$11.5 million

- The Office of Legislative Services (OLS) estimates that Assembly Bill No. 2689 (2R) would increase State expenditures by \$11.3 million in the first school year following enactment, and anticipates that the cost would increase by one percent in each of the subsequent two school years. This estimate assumes that the security aid program would support the provision of security services, equipment, or technology for 150,000 nonpublic school students, which is approximately the number of students for whom nonpublic nursing services aid has been provided in recent years.

BILL DESCRIPTION

Assembly Bill No. 2689 (2R) of 2016 requires school districts to provide security services, equipment, or technology to nonpublic schools located in the district, within the limits of the funds available for that purpose. Each year, the superintendent of schools and the chief school administrators of the nonpublic schools located in that district must reach an agreement regarding the security services, equipment, or technology that the school district will provide to the nonpublic schools. In the event that an agreement is not reached, the executive county superintendent of schools will make the final determination.

Each school year, the school district will receive funding for this purpose in an amount equal to the support limit multiplied by the number of students enrolled in nonpublic schools located in

that district. In the 2016-2017 school year, the support limit would equal \$75 per pupil; in each subsequent school year, the support limit applicable in the prior year would be adjusted by the change in the consumer price index. If a school district, in the course of providing security services, equipment, or technology to nonpublic schools, expends less than the amount of State funding provided, then the unexpended amount would be refunded to the State no later than December 1 of the following school year. The bill specifies that school districts, nonpublic schools, and their employees will be immune from civil liabilities in the provision of security services, equipment, or technology, except when the actions constitute gross negligence or willful misconduct.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that Assembly Bill No. 2689 (2R) would increase State expenditures by \$11.3 million in the first year. The OLS reached this estimate by multiplying the approximate number of students enrolled in nonpublic schools who receive nonpublic nursing services from the school district in which the nonpublic school is located (150,000) by the \$75 per pupil support limit established under the bill. The analysis further assumes that the consumer price index would increase by one percent in each of the two subsequent school years,¹ while nonpublic school enrollment would remain steady. Based on these assumptions, the additional cost of Assembly Bill No. 2689 (2R) in the second and third years would be \$11.4 million and \$11.5 million, respectively.

Section: Education

Analyst: Allen T. Dupree
Principal Fiscal Analyst

Approved: Frank W. Haines III
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

¹ The change in the consumer price index applicable to the 2016-2017 school year is 0.57 percent.

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Governor Christie Signs Education Reform Legislation

Tuesday, September 06, 2016

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State of New Jersey
OFFICE OF THE GOVERNOR

Governor Takes Action on Seven Bills

Trenton, NJ – As many New Jersey students head back to school today, Governor Christie visited Grover Cleveland Middle School in Caldwell to act upon seven bills focused on improving education in the state.

“Over the last six years, my administration has prided itself on engaging in education reform to make sure our schools are safer, more effective, and facilitating the success of our students,” said Governor Christie. “Providing and ensuring a high quality education for every student in every corner of this state is a firm commitment of mine and it is why I continue to support and bolster education in the Garden State.”

For the last two months, Governor Christie has traveled the state talking about his Fairness Formula, which would change the school funding formula to provide equal funding of \$6,599 per enrolled student, while continuing aid for special needs students and at the same time providing much-needed property tax relief to municipalities.

The Governor’s fiscal year 2017 budget spends more than \$13.3 billion on education, an increase of \$548 million from fiscal 2016, continuing a six-year commitment to providing the highest amount of school aid in New Jersey history.

The state’s high school graduation rate continues to increase. In 2015, the rate was 89.7 percent, up from 88.6 percent in 2014, the fourth straight year that the statewide high school graduation rate increased and the third consecutive year in which it grew by at least a full percentage point.

Other education accomplishments include reforming teacher tenure rules, greatly expanding charter schools, and establishing Renaissance schools under the Urban Hope Act.

The bills the Governor acted on today include measures to enhance school security and early intervention in situations where students exhibit behavioral or learning problems, and that will ensure that substance abuse instruction for students encompasses the latest research and best practices. Governor Christie has also signed two bills focused on higher education, to increase transparency and enable public colleges and universities to save money by engaging in cooperative purchasing agreements. Specifically, the Governor took the following action on the following pending legislation:

BILL SIGNINGS:

S-2081/A-3790 (Ruiz, Turner/Vainieri Huttie, Wimberly) - Limits expulsions and suspensions for students in preschool through grade 2 with certain exceptions; requires early detection and prevention programs for behavioral issues in preschool through grade 2

A-2292/S-372 (Vainieri Huttie, Benson, McKnight, Gusciora, Lampitt, Wimberly/Codey, Allen) - Requires review of Core Curriculum Content Standards to ensure guidance for substance abuse instruction provided to public school students incorporates most recent evidence-based standards and practices

A-2563/S-1753 (Jasey, Singleton, Wimberly, Danielsen/Turner) - Directs institutions of higher education and proprietary degree-granting institutions to provide Higher Education Student Assistance Authority with graduation and transfer rates of State tuition aid grant recipients

A-2566/S-496 (Jasey, Wimberly/Ruiz, Turner) - Establishes Response to Intervention initiative in DOE to support and encourage school districts in implementation of Response to Intervention framework

A-2689/S-754 (Schaer, Prieto, Lagana, Lampitt, Vainleri Huttie, Eustace, S. Kean, Auth, Quijano, Wimberly/Beach, Gordon) - "Secure Schools for All Children Act"; establishes State aid program for security services, equipment, or technology to ensure safe and secure school environment for nonpublic school students

A-3405/S-1822 (Coughlin, Schaer, Jasey, Benson/Sarlo, Cunningham) - Permits certain public institutions of higher education to make purchases and contract for services as participating contracting units in cooperative pricing systems and through use of nationally-recognized and accepted cooperative purchasing agreements

BILL VETOED:

S-86/A-3629 (A.R. Bucco, Sweeney/A.M. Bucco, Rible, Singleton, Caride, Moriarty, Schepisi, Wimberly) – **CONDITIONAL** - Establishes Class Three special law enforcement officers to provide security in public and nonpublic schools and county colleges

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