

18A:39-11.1

LEGISLATIVE HISTORY CHECKLIST
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(School pupils--transportation)

NJSA: 18A:39-11.1

LAWS OF: 1997 **CHAPTER:** 53

BILL NO: S780

SPONSOR(S): Kyrillos & Palaia

DATE INTRODUCED: February 15, 1996

COMMITTEE: **ASSEMBLY:** Education
SENATE: Education

AMENDED DURING PASSAGE: Yes Amendments during passage denoted
Second reprint enacted by superscript numbers

DATE OF PASSAGE: **ASSEMBLY:** March 24, 1997
SENATE: May 30, 1996

DATE OF APPROVAL: April 1, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: Yes

FISCAL NOTE: Yes

VETO MESSAGE:

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: Yes

HEARINGS: No

974.90 New Jersey. Commission on Business Efficiency of the Public
S372 Schools.
1994a Pupil transportation, plans for change. 1994.
[see especially pp. 25-26]

KBP:pp

P.L. 1997, CHAPTER 53, *approved April 1, 1997*
Senate, No. 780 (*Second Reprint*)

1 AN ACT concerning the transportation of school pupils and
2 supplementing chapter 39 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. The Commissioner of Education shall identify and publish a
8 list of local school boards of education, educational services
9 commissions, ²county special services school districts,² and any other
10 established agencies providing cooperative transportation services.

11 b. Any school district responsible for the transportation of pupils to
12 and from a school, other than a local district school, pursuant to
13 N.J.S.18A:39-1 ²which transports pupils to a county vocational school
14 and pupils classified pursuant to chapter 46 of Title 18A of the New
15 Jersey Statutes² shall utilize one of the agencies identified by the
16 commissioner for the transportation of the pupils ²[, except when the
17 local district can provide transportation at a lower cost than those
18 agencies] .Transportation by one of the agencies shall not be required
19 when the local district can provide transportation at a lower cost than
20 those agencies, or the transportation to be provided by one of the
21 agencies does not fall within the policies of the resident school district
22 regarding length of ride and assignment of students to a route based
23 on student age or classification² .

24 c. Any school district which has in the prior year provided
25 payments in lieu of transportation for any nonpublic school pupil
26 pursuant to N.J.S.18A:39-1 ²or which cannot provide transportation
27 in the ensuing school year² shall attempt to provide transportation
28 through an agency identified by the commissioner prior to determining
29 to pay aid in lieu of transportation. ²The school district shall provide
30 to the agency any unique limitations or restrictions of the required
31 transportation.² If the costs to provide transportation by the agency

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SED committee amendments adopted March 7, 1996.

² Assembly AED committee amendments adopted March 3, 1997.

1 identified by the commissioner are less than the in-lieu-of payments,
2 the agency shall provide transportation. ²The school district shall
3 make the determination on the manner in which transportation services
4 shall be provided and shall notify the nonpublic school and the parent
5 or guardian of the nonpublic school pupil by August 1 prior to the
6 beginning of the school year.²

7 d. The county superintendents shall assist local boards of education
8 ¹and the chief school administrators of nonpublic schools ¹ in
9 coordinating the calendars and schedules of the public ¹and nonpublic¹
10 schools to facilitate the coordination of transportation of pupils to and
11 from school in their respective county.

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13 ²2. The commissioner shall report to the Governor and the
14 Legislature within three years following the effective date of this act
15 on its effectiveness in promoting regionalized transportation services
16 and the advisability of expanding the provisions of the act to
17 transportation services provided to other pupils.²

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19 ²[2.] 3.² This act shall take effect immediately ¹[and shall first
20 apply to the 1996-1997 school year]¹.

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25 Provides for development of regionalized school pupil transportation.

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1996

By Senators KYRILLOS and PALAIA

1 AN ACT concerning the transportation of school pupils and
2 supplementing chapter 39 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. The Commissioner of Education shall identify and publish a
8 list of local school boards of education, educational services
9 commissions, and any other established agencies providing cooperative
10 transportation services.

11 b. Any school district responsible for the transportation of pupils
12 to and from a school, other than a local district school, pursuant to
13 N.J.S.18A:39-1 shall utilize one of the agencies identified by the
14 commissioner for the transportation of the pupils, except when the
15 local district can provide transportation at a lower cost than those
16 agencies.

17 c. Any school district which has in the prior year provided
18 payments in lieu of transportation for any nonpublic school pupil
19 pursuant to N.J.S.18A:39-1 shall attempt to provide transportation
20 through an agency identified by the commissioner prior to determining
21 to pay aid in lieu of transportation. If the costs to provide
22 transportation by the agency identified by the commissioner are less
23 than the in-lieu-of payments, the agency shall provide transportation.

24 d. The county superintendents shall assist local boards of education
25 in coordinating the calendars and schedules of the public schools to
26 facilitate the coordination of transportation of pupils to and from
27 school in their respective county.

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29 2. This act shall take effect immediately and shall first apply to the
30 1996-1997 school year.

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STATEMENT

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35 This bill requires the Commissioner of Education to identify and
36 publish a list of local boards of education, educational services
37 commissions, and any other established agencies providing cooperative

1 transportation services. Any school district responsible for the
2 transportation of pupils to and from a school, other than a local
3 district school, would utilize one of the agencies identified by the
4 commissioner for the transportation of the pupils, except when the
5 local district can provide transportation at a lower cost than those
6 agencies.

7 Under the bill, any school district which has in the prior year
8 provided payments in lieu of transportation for any nonpublic school
9 pupil would attempt to provide transportation through an agency
10 identified by the commissioner prior to determining to pay aid in lieu
11 of transportation. If the costs to provide transportation by the agency
12 identified by the commissioner are less than the in-lieu-of payments,
13 the agency would provide transportation.

14 The county superintendents are required to assist local boards of
15 education in coordinating the calendars and schedules of the public
16 schools to facilitate the coordination of pupil transportation in a
17 county.

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22 Provides for development of regionalized school pupil transportation.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 780

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 3, 1997

The Assembly Education Committee favorably reports Senate Bill No. 780 [1R] with committee amendments.

As amended by committee, this bill requires the Commissioner of Education to identify and publish a list of local boards of education, educational services commissions, county special services school districts, and any other established agencies providing cooperative transportation services. Any school district responsible for the transportation of county vocational school pupils or special education pupils to and from a school, other than a local district school, would utilize one of the agencies identified by the commissioner for the transportation of the pupils. The district would not be required to utilize one of the agencies if the district can provide the transportation at a lower cost or the transportation to be provided by the agencies does not fall within the policies of the resident school district regarding length of ride and the assignment of students to a route based on student age or classification.

The bill also provides that any school district which has in the prior year provided payments in lieu of transportation for any nonpublic school pupil or which cannot provide transportation in the ensuing school year must attempt to provide transportation through an agency identified by the commissioner prior to determining to pay aid in lieu of transportation. The school district shall provide to the agency with any unique limitations or restrictions of the required transportation. If the costs to provide transportation by the agency identified by the commissioner are less than the in-lieu-of payments, the agency would provide transportation. The school district is to make its determination on the manner in which transportation services shall be provided and notify the nonpublic school and the parent or guardian of the nonpublic school pupil of that determination by August 1 prior to the beginning of the school year.

The county superintendents are required to assist local boards of education and the chief school administrators of nonpublic schools in coordinating the calendars and schedules of the public and nonpublic

schools to facilitate the coordination of pupil transportation in a county. Also, the bill directs the commissioner to report to the Governor and the Legislature within three years on its effectiveness in promoting regionalized transportation services and the advisability of expanding its provisions to transportation services provided to other students.

The committee amended the bill to limit the application of its provisions in public school districts to the provision of transportation services to special education students and students transported to a county vocational school. The amendments also provide for the application of the bill's provisions in nonpublic school transportation to those situations in which the school district may not be able to provide transportation in the ensuing school year in addition to prior year aid in lieu of situations. The amendments also provide that the school district will provide any unique limitations or restrictions to the agency in regard to the nonpublic school transportation services which the district requires and that the district would not have to make use of the transportation services of the agencies for its public school transportation needs if those services did not fall within the policies of the resident school district regarding length of ride and assignment of students to a route based on student age or classification. The amendments provide that the district must make a determination on the manner in which it will provide its nonpublic school transportation services and notify the nonpublic school and the parents of the nonpublic school pupils by August 1 prior to the beginning of the school year. The amendments also require the commissioner to report to the Governor and the Legislature within three years on the bill's effectiveness in promoting regionalized transportation services students and the advisability of expanding its provisions to transportation services provided to other pupils.

As amended by committee, this bill is identical to the Assembly Committee Substitute for Assembly Bill Nos.2391 and 1689.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 780

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 7, 1996

The Senate Education Committee reports favorably and with committee amendments Senate Bill No. 780.

As amended, this bill requires the Commissioner of Education to identify and publish a list of local boards of education, educational services commissions, and any other established agencies providing cooperative transportation services. Any school district responsible for the transportation of pupils to and from a school, other than a local district school, would utilize one of the agencies identified by the commissioner for the transportation of the pupils, except when the local district can provide transportation at a lower cost than those agencies.

Under the bill, any school district which has in the prior year provided payments in lieu of transportation for any nonpublic school pupil would attempt to provide transportation through an agency identified by the commissioner prior to determining to pay aid in lieu of transportation. If the costs to provide transportation by the agency identified by the commissioner are less than the in-lieu-of payments, the agency would provide transportation.

The county superintendents are required to assist local boards of education and the chief school administrators of nonpublic schools in coordinating the calendars and schedules of the public and nonpublic schools to facilitate the coordination of pupil transportation in a county.

An amendment was adopted which directs the county superintendents to assist the chief school administrators of the nonpublic schools in coordinating the calendars and schedules of the public and nonpublic schools.

LEGISLATIVE FISCAL ESTIMATE TO

[First Reprint]
SENATE, No. 780

STATE OF NEW JERSEY

DATED: JUNE 20, 1996

Senate Bill No. 780 (1R) of 1996 requires the Commissioner of Education to identify and publish a list of local boards of education, educational services commissions, and any other established agencies providing cooperative transportation services. Any school district responsible for the transportation of pupils to and from a school, other than a local district school, shall utilize one of the agencies identified by the commissioner for the transportation of the pupils, except when the local district can provide transportation at a lower cost than those agencies.

Under the provisions of the bill, any school district which has in the prior year provided payments in lieu of transportation for any nonpublic school pupil shall attempt to provide transportation through an agency identified by the commissioner prior to determining to pay aid in-lieu-of transportation. If the costs to provide transportation by the agency identified by the commissioner are less than the in lieu of payments, the agency shall provide transportation. The county superintendents are required to assist local boards of education and the chief school administrators of nonpublic schools in coordinating the calendars and schedules of the public and nonpublic schools to facilitate the coordination of pupil transportation in a county.

The Office of Legislative (OLS) notes that the enactment of this bill would not result in any additional costs to the State for the Department of Education (DOE) to identify and publish a list of local boards of education, educational services commissions, and other established agencies providing cooperative transportation services. DOE indicates that it would be able to absorb the additional responsibilities imposed under the bill with current staff members. OLS also notes that this bill would generate savings for those local school districts that are able to utilize more cost effective cooperative transportation services and/or provide transportation services to nonpublic school pupils instead of making in-lieu-of payments.

The 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.