

LEGISLATIVE HISTORY CHECKLIST
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(Pupil transportation)

NJSA: 18A:39-1.3

LAWS OF: 1995 **CHAPTER:** 106

BILL NO: A1203

SPONSOR(S): Bagger

DATE INTRODUCED: February 7, 1995

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

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

DATE OF PASSAGE: **ASSEMBLY:** June 20, 1994
SENATE: March 30, 1995

DATE OF APPROVAL: May 19, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

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

FISCAL NOTE: No

VETO MESSAGE: No

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. March, 1994, Trenton,
 1994. [see pp. 11-12]

See newspaper clippings--attached:
 "Courtesy busing may cost parents," 5-25-95, Home News.

KBG:pp

[THIRD REPRINT]
ASSEMBLY, No. 1203
STATE OF NEW JERSEY

INTRODUCED FEBRUARY 7, 1994

By Assemblyman BAGGER, Assemblywoman VANDERVALK,
Assemblyman Azzolina, Assemblywoman Heck and
Senator Adler

1 AN ACT concerning the transportation of certain pupils by boards
2 of education and supplementing chapter 39 of Title 18A of the
3 New Jersey Statutes and P.L.1990, c.52.

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

7 1. Any board of education which transports pupils to and from
8 school pursuant to N.J.S.18A:39-1 may enter into a contract for
9 the transportation of elementary school pupils who live less than
10 two miles from school and secondary school pupils who live less
11 than two and a half miles from school, and may require that if
12 the parent, guardian or other person having legal custody of the
13 child elects to have the pupil transported pursuant to the
14 contract, then the parent, guardian or other person having legal
15 custody of the child shall pay all or a part of the costs of that
16 transportation, including but not limited to the cost of fuel,
17 driver salaries and insurance. A board of education may also
18 enter into a contract for the transportation of elementary school
19 pupils who live less than two miles and secondary school pupils
20 who live less than two and a half miles from any not for profit
21 nonpublic school which satisfies the maximum distance
22 requirements set forth in N.J.S.18A:39-1 and may require that if
23 the parent, guardian or other person having legal custody of the
24 child elects to have the pupil transported pursuant to the
25 contract, then the parent, guardian or other person having legal
26 custody of the child shall pay all or a part of the costs of that
27 transportation, including but not limited to the cost of fuel,
28 driver salaries and insurance.

29 The costs of the transportation shall be paid at the time and in
30 the manner determined by the board of education.

31 ²A board of education shall notify the Department of
32 Education when it elects to provide transportation for pupils
33 under the provisions of this act.²

34 ²[2. A board of education which enters into a contract for the
35 transportation of pupils pursuant to section 1 of this act may not
36 exclude from this transportation any pupil whose parent, legal
37 guardian or other person having legal custody of the child is
38 unable to pay the cost of that transportation because of financial
39 hardship. In determining financial hardship, the criteria shall be
40 the same as the Statewide eligibility standards established by the
41 State Board of Education for free and reduced price meals under
42 the State school lunch program.]²

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 May 5, 1994.

² Senate SED committee amendments adopted January 12, 1995.

³ Senate floor amendments adopted March 2, 1995.

1 ³2. A board of education which enters into a contract for the
2 transportation of pupils pursuant to section 1 of this act may not
3 exclude from this transportation any pupil whose parent, legal
4 guardian or other person having legal custody of the child is
5 unable to pay the cost of that transportation because of financial
6 hardship. In determining financial hardship, the criteria shall be
7 the same as the Statewide eligibility standards established by the
8 State Board of Education for free and reduced price meals under
9 the State school lunch program.³

10 ³[².] ³3. The Commission on Business Efficiency in the Public
11 Schools shall evaluate the transportation of pupils provided by
12 school districts under this act and shall issue a report to the
13 Senate and Assembly Education Committees within 18 months of
14 the effective date of this act, including, but not limited to, an
15 evaluation of the administrative and financial burdens on the
16 districts, a determination of how well the transportation serves
17 the pupils of all income levels, and any other matters the
18 commission deems appropriate.²

19 ¹[³. Each school district which provides transportation free of
20 charge or at reduced cost to elementary school pupils who live
21 less than two miles from school and secondary school pupils who
22 live less than two and a half miles from school shall have
23 excluded from the calculation of its maximum permissible net
24 budget pursuant to section 85 of P.L.1990, c.52 (C.18A:7D-28),
25 the cost to the district of providing transportation to these
26 pupils.]¹

27 ¹[⁴.] ³[³.¹ The State Board of Education shall adopt, pursuant
28 to the "Administrative Procedure Act," P.L.1968, c.410
29 (C.52:14B-1 et seq.) rules and regulations necessary for the
30 implementation of this act.]³

31 ¹[⁵.] ⁴.¹ This act shall take effect immediately.

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36 Permits boards of education to provide transportation for
37 children who do not live remote from school and to charge the
38 parent for that transportation.

1 4. The State Board of Education shall adopt, pursuant to the
2 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
3 seq.) rules and regulations necessary for the implementation of
4 this act.

5 5. This act shall take effect immediately.
6
7

8 STATEMENT
9

10 This bill authorizes a board of education to contract for the
11 transportation of public school pupils who do not live far enough
12 away from the school to be eligible for transportation under
13 N.J.S.A.18A:39-1 and to charge the parent or guardian of the
14 pupil for the cost of that transportation.

15 The bill also allows a board of education to contract for the
16 transportation of non public school pupils, otherwise qualifying
17 for transportation under N.J.S.18A:39-1, who do not live remote
18 from the nonpublic school and to charge the parent or guardian of
19 the pupil for the cost of that transportation.

20 However, the bill provides that no pupil may be excluded from
21 this transportation because of financial hardship which will be
22 determined in accordance with the Statewide eligibility standards
23 for free and reduced price meals under the State school lunch
24 program.

25 In addition, any cost to the school district of providing
26 transportation pursuant to the provisions of the bill will be
27 excluded from the district's maximum permissible net budget.
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32 Permits boards of education to provide transportation for
33 children who do not live remote from school and to charge the
34 parent for that transportation; excludes from budget cap costs of
35 providing "courtesy" busing.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1203

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 5, 1994

The Assembly Education Committee favorably reports Assembly Bill No. 1203 with committee amendments.

As amended by committee, this bill authorizes a board of education to contract for the transportation of elementary school pupils who live less than two miles and secondary school pupils who live less than two and one-half miles from school and to charge the parent or guardian of the pupil for the cost of that transportation. The bill also authorizes a board of education to contract for the transportation of non-public school pupils who do not live remote from the nonpublic school and to charge the parent or guardian of the pupil for the cost of that transportation. The bill provides that no pupil may be excluded from this transportation because of financial hardship which will be determined in accordance with the Statewide eligibility standards for free and reduced price meals under the State school lunch program.

The committee amended the bill to delete the provision that any cost to the school district of providing transportation free of charge or at a reduced cost pursuant to the bill's provisions would be excluded from the calculation of the district's maximum permissible net budget.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1203

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 12, 1995

The Senate Education Committee favorably reports Assembly Bill No. 1203(1R) with committee amendments.

As amended, this bill authorizes a board of education to contract for the transportation of elementary school pupils who live less than two miles and secondary school pupils who live less than two and one-half miles from school and to charge the parent or guardian of the pupil for the cost of that transportation. The bill also authorizes a board of education to contract for the transportation of non-public school pupils who do not live remote from the nonpublic school and to charge the parent or guardian of the pupil for the cost of that transportation. A board of education would notify the Department of Education when it elects to provide the transportation. The bill requires the Commission on Business Efficiency in the Public Schools to evaluate the transportation and to issue a report to the Senate and Assembly Education Committees within 18 months of the effective date of the statute. The report would include an evaluation of the administrative and financial burdens on the districts and a determination of how well the transportation serves the pupils of all income levels.

The committee amended the bill to delete a section concerning the transportation of pupils because of financial hardship and to include the requirements for notification of the Department of Education and the issuance of a report by the Commission on Business Efficiency in the Public Schools.