

18A:38-7.10 to 18A:38-7.14

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 18A:38-7.10 to 18A:38-7.14 (Schools-- education of pupils residing on Federal property-- procedures)

**LAWS OF:** 1988 **CHAPTER:** 105

**BILL NO:** A460

**SPONSOR(S):** Shinn

**Date Introduced:** Pre-filed

**Committee:** **Assembly:** Education  
**Senate:** Education

**Amended during passage:** Yes **Amendments during passage denoted by asterisks.**

**Date of Passage:** **Assembly:** February 1, 1988  
**Senate:** June 30, 1988

**Date of Approval:** August 10, 1988

**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:** No

**Hearings:** No

[FIRST REPRINT]  
ASSEMBLY, No. 460

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblyman SHINN

1 AN ACT concerning the education of persons of school age who  
reside on certain federal property and supplementing chapter  
3 38 of Title 18A of the New Jersey Statutes.

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

7 1. The Legislature finds and declares that all persons of  
school age who reside on federal property located within this  
9 State are entitled under the New Jersey Constitution and the  
laws of this State to a free public education.

11 2. As used in this act, "multi-district federal enclave" means  
a contiguous piece of federal property which is located entirely  
13 or partially within the geographic boundaries of a county of the  
second class with a population of not less than 315,000 and not  
15 more than 400,000 according to the 1980 federal decennial  
census and which federal property is located within more than  
17 one school district.

3. <sup>1</sup>[a.]<sup>1</sup> Persons of school age who reside in a multi-district  
19 federal enclave shall be deemed to be domiciled in a single  
district to be designated by the county superintendent of  
21 schools. Where all persons of school age who reside in a  
multi-district federal enclave already attend a single district,  
23 the county superintendent shall designate that district as the  
district to be attended by all current and future pupils residing  
25 in the multi-district federal enclave. Any person attending on  
the effective date of this act a school in a district other than a  
27 district designated by the county superintendent pursuant to this  
act shall be permitted to continue in such school until  
29 graduation. <sup>1</sup>[The provisions of this subsection shall be in effect  
for at least 10 years from the effective date of this

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:  
Assembly AED committee amendments adopted February 1, 1988.

1 act, after which time an alternative allocation of pupils may be  
2 established pursuant to the provisions of subsection b. of this  
3 section.

4 b. Not sooner than 10 years after the effective date of this  
5 act, any school district which contains a part of a multi-district  
6 federal enclave within its boundaries may apply to the  
7 Commissioner of Education for the establishment of an  
8 allocation of the students residing in the multi-district federal  
9 enclave other than the allocation established pursuant to the  
10 provisions of subsection a. Prior to submitting an application  
11 the district seeking to alter the allocation of students shall  
12 prepare and submit a feasibility study considering the  
13 educational and financial implications for all affected districts,  
14 the impact on the quality of education received by all pupils in  
15 each of the affected districts, and the effect on the racial  
16 composition of the pupil populations of each district. The  
17 commissioner shall make equitable determinations based upon  
18 consideration of all the circumstances, including the educational  
19 and financial implications for the affected districts, the impact  
20 on the quality of education received by all pupils in each of the  
21 affected districts, and the effect on the racial composition of  
22 the pupil populations of each district. The commissioner shall  
23 grant the requested alteration of the allocation of pupils  
24 residing on a multi-district federal enclave if no substantial  
25 negative impact will result therefrom.]<sup>1</sup>

26 4. The county superintendent of schools shall, within 120 days  
27 of the effective date of this act, certify to the Commissioner of  
28 Education which local school district shall be the designated  
29 district for persons of school age residing in a multi-district  
30 federal enclave. The district certified as the designated district  
31 shall count all pupils who reside in a multi-district federal  
32 enclave in the resident enrollment of the district for all State  
33 aid purposes and shall be designated by the commissioner to  
34 receive State aid and all federal funds provided under Pub. L.  
35 81-874, 20 U.S.C. § 236 et seq.

36 5. Nothing contained in this act shall be construed to alter  
37 any existing school district boundary or to alter any district's  
38 eligibility for federal funds pursuant to Pub. L. 81-874, 20  
39 U.S.C. § 237 et seq. or similar subsequent legislation.

1     6. This act shall take effect immediately.

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EDUCATION

5

Children

7     Establishes procedures for the public education of pupils residing  
on certain federal property.

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## STATEMENT

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5 This bill would permit the school age children residing on  
6 certain federal enclaves which are situated in two or more  
7 school districts to attend the schools of a single district, without  
8 regard to the district in which each child actually resides. The  
9 county superintendent of schools shall determine which district  
10 shall receive all of the current and future school children from  
11 each of these federal enclaves. Children currently enrolled in  
12 the schools of a district other than the one designated by the  
13 county superintendent shall be permitted to graduate from their  
14 present district.

15 Under the definition of a multi-district federal enclave  
16 contained in the bill, the bill's provisions would apply only to  
17 school age children residing at Fort Dix and McGuire Air Force  
18 base.

19 Any district which accepts the entire school age population of  
20 a multi-district federal enclave pursuant to this act on the  
21 effective date of this act will be obligated to provide a free,  
22 thorough and efficient education to the entire school age  
23 population of that enclave.

24 The county superintendents of schools shall certify the  
25 districts which are providing the education for the school age  
26 residents of each of these federal enclaves. Districts so  
27 certified shall receive State and federal aid to defray the cost  
28 of providing a free public education to the school age children of  
29 the federal enclaves which they serve.

30 The bill's application is limited to Fort Dix and McGuire Air  
31 Force Base and provides a procedure for changing the allocation  
32 of pupils established by the bill. After the law has been in  
33 effect for at least 10 years, any of the affected school districts  
34 may apply to the Commissioner of Education to modify the pupil  
35 allocation. The commissioner shall make equitable  
36 determinations based upon consideration of all the  
37 circumstances, including the educational and financial  
38 implications for the affected districts, the impact on the quality  
39 of education received by all pupils in each of the affected

1 districts, and the effect on the racial composition of the pupil  
2 populations of each district. The commissioner shall grant the  
3 requested alteration of the allocation of pupils residing on a  
4 multi-district federal enclave if no substantial negative impact  
5 will result therefrom. These criteria are identical to those  
6 provided for terminating and sending-receiving relationship  
7 between school districts pursuant to N.J.S. 18A:38-13.

9 EDUCATION

Children

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12 Establishes procedures for the public education of pupils residing  
13 on certain federal property.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 460

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 28, 1988

The Assembly Education Committee favorably reports Assembly Bill No. 460 as amended.

This bill would permit the school age children residing on certain federal enclaves which are situated in two or more school districts to attend the schools of a single district, without regard to the district in which each child actually resides. The county superintendent of schools shall determine which district shall receive all of the current and future school children from each of these federal enclaves. Children currently enrolled in the schools of a district other than the one designated by the county superintendent shall be permitted to graduate from their present district.

Under the definition of a multi-district federal enclave contained in the bill, the bill's provisions would apply only to school age children residing at Fort Dix and McGuire Air Force base.

Any district which accepts the entire school age population of a multi-district federal enclave pursuant to this act on the effective date of this act will be obligated to provide a free, thorough and efficient education to the entire school age population of that enclave.

The county superintendent of schools shall certify the districts which are providing the education for the school age residents of each of these federal enclaves. Districts so certified shall receive State and federal aid to defray the cost of providing a free public education to the school age children of the federal enclaves which they serve.

The committee amendments delete from the bill a provision which would have permitted the Commissioner of Education to reallocate the students among the schools under certain circumstances.

As amended this bill is identical to Assembly Bill No. 3776 (2nd OCR) of 1986.

This bill was pre-filed for introduction in the 1988 session pending technical review. As amended the bill includes the changes required by technical review which has been performed.



SENATE EDUCATION COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 460

STATE OF NEW JERSEY

DATED: JUNE 23, 1988

The Senate Education Committee favorably reports this bill without committee amendments.

This bill would permit the school age children residing on certain federal enclaves which are situated in two or more school districts to attend the schools of a single district, without regard to the district in which each child actually resides. The county superintendent of schools shall determine which district shall receive all of the current and future school children from each of these federal enclaves. Children currently enrolled in the schools of a district other than the one designated by the county superintendent shall be permitted to graduate from their present district.

Under the definition of a multi-district federal enclave contained in the bill, the bill's provisions would apply only to school age children residing at Fort Dix and McGuire Air Force base.

Any district which accepts the entire school age population of a multi-district federal enclave pursuant to this act on the effective date of this act will be obligated to provide a free, thorough and efficient education to the entire school age population of that enclave.

The county superintendent of schools shall certify the districts which are providing the education for the school age residents of each of these federal enclaves. Districts so certified shall receive State and federal aid to defray the cost of providing a free public education to the school age children of the federal enclaves which they serve.

This bill is identical to Senate Bill No. 2332, which is currently before the Senate Education Committee.