

[First Reprint]

ASSEMBLY, No. 5327

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED MARCH 16, 2023

Sponsored by:

Assemblyman CLINTON CALABRESE

District 36 (Bergen and Passaic)

SYNOPSIS

Requires payment of tuition for certain non-resident public school students.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on March 23, 2023,
with amendments.



1 AN ACT concerning public school tuition and amending
2 N.J.S.18A:38-3.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. N.J.S.18A:38-3 is amended to read as follows:

8 18A:38-3. a. Any person not resident in a school district, if
9 eligible except for residence, may be admitted to the schools of the
10 district with the consent of the board of education upon such terms,
11 and with **[or without]** payment of tuition, as the board **[may**
12 **prescribe]** prescribes. Each board of education, with the approval of
13 the executive county superintendent, shall establish a uniform
14 tuition amount for any nonresident student admitted to the schools
15 of a district pursuant to this section.

16 b. Any person not resident in a school district, if eligible except
17 for residence, and if that person previously was a resident of the
18 district, shall be admitted to the schools of the district without
19 payment of tuition if that person's parent or guardian is a member of
20 the New Jersey National Guard or a member of the reserve
21 component of the armed forces of the United States and has been
22 ordered into active military service in any of the armed forces of the
23 United States in time of war or national emergency, resulting in the
24 relocation of the student out of the district. A school district
25 admitting a student pursuant to this subsection shall not be
26 obligated for transportation costs.

27 c. The provisions of subsection a. of this section shall not
28 apply, regardless of residence, to the enrolled children of teaching
29 staff members of the school district ¹**[or county vocational school**
30 **district]**¹ who are permitted, by contract or local district policy, to
31 enroll their children in the educational program of the school
32 district ¹**[or county vocational school district]**¹ without payment of
33 tuition.

34 d. Nothing in this section shall limit a school district's ability
35 to charge tuition pursuant to any other federal law, State statute,
36 regulation, or court order.

37 ¹e. The provisions of this section shall not apply to a county
38 vocational school district.¹

39 (cf: P.L.1994, c.169, s.2)

40

41 2. This act shall take effect immediately and shall first apply to
42 the first full school year following enactment.

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:

¹Assembly AAP committee amendments adopted March 23, 2023.