

# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 5412**

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 8, 2023

The Assembly Education committee reports favorably Assembly Bill No. 5412 with committee amendments.

As amended, this bill establishes a nonpublic school consortium transportation program to provide funding to consortiums of nonpublic schools that will assume responsibility for participating school districts' mandated nonpublic school busing for those students.

Under the program, a participating school district will disburse to the consortium an amount equal to the aid in-lieu-of transportation amount (currently set at \$1,022) for each nonpublic school pupil who is attending a nonpublic school which is a part of the consortium and who is required by law to be transported by a school district. The consortium is to assume the responsibilities of transporting the pupils for whom it receives the aid in-lieu-of transportation amount.

The amended bill provides that if the per pupil cost of the lowest bid received exceeds the aid in-lieu-of transportation amount, the parent or guardian of the student will be eligible to receive the aid in-lieu-of transportation amount from the consortium for that school year. In addition to providing transportation for students who are mandated to be transported, the consortium may provide non-mandated busing to students attending the nonpublic schools that are a part of the consortium, provided that the parents or guardians of those students pay all of the costs of that transportation.

At the end of the school year, the consortium will refund to individual participating school districts a portion of the aid-in-lieu-of amount the district provided to the consortium for a nonpublic school student who did not receive transportation for the entire school year. If any unexpended funds remain, the bill requires the consortium to allocate that amount among the school districts in proportion to the number of nonpublic school pupils for whom the school district distributed funds to the consortium.

The amended bill requires the Commissioner of Education to establish a committee to oversee the operations of each consortium in implementing the program. The oversight committee will consist of five members appointed by the commissioner, one of whom must

represent a nonpublic school that is part of the consortium, and one of whom must represent a school district that is participating in the program. Under the provisions of the amended bill, the consortium is required to annually enter into a contract with an independent entity to audit the implementation of the program and the audit is required to be submitted to the commissioner no later than December 1 of each year.

The amended bill provides that nothing in the bill is to be construed as altering the amount paid by the State for nonpublic school transportation costs pursuant to N.J.S.A.18A:39-1a for any school district that participates in the program.

The bill takes effect immediately and provides that the program will first be applicable in the 2023-2024 school year.

COMMITTEE AMENDMENTS:

The committee amended the bill to provide that nothing in the bill is to be construed as altering the amount paid by the State for nonpublic school transportation costs pursuant to N.J.S.A.18A:39-1a for any school district that participates in the program.