

ASSEMBLY, No. 2942

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

SYNOPSIS

Alters date by which school districts notify parents of nonpublic school students of eligibility for bus transportation or aid-in-lieu-of payment from August 1 to July 1.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning pupil transportation, amending P.L.1997, c.53,
2 and supplementing chapter 39 of Title 18A of the New Jersey
3 Statutes.

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

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8 1. Section 1 of P.L.1997, c.53 (C.18A:39-11.1) is amended to
9 read as follows:

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

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

26 c. (1) A board of education shall bid or coordinate nonpublic
27 school transportation services with another school district or a
28 cooperative transportation services agency in accordance with
29 criteria established by the commissioner.

30 (2) Any school district which has in the prior year provided
31 payments in lieu of transportation for any nonpublic school pupil
32 pursuant to N.J.S.18A:39-1, or which cannot provide transportation
33 in the ensuing school year in accordance with the commissioner's
34 criteria, shall attempt to provide transportation through an agency
35 identified by the commissioner prior to determining to pay aid in
36 lieu of transportation. The school district shall provide to the
37 agency any unique limitations or restrictions of the required
38 transportation. If the costs to provide transportation by the agency
39 identified by the commissioner are less than the in-lieu-of
40 payments, the agency shall provide transportation. The school
41 district shall make the determination on the manner in which
42 transportation services shall be provided and shall notify the
43 nonpublic school and the parent or guardian of the nonpublic school
44 pupil by **August** July 1 prior to the beginning of the school year.
45 For the purposes of this subsection, "costs to provide

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.

1 transportation" shall not include any administrative fee charged by
2 the agency. If the sum of the costs to provide transportation plus
3 any administrative fee charged by the agency exceeds on a per pupil
4 basis the maximum amount for nonpublic school transportation
5 established pursuant to section 2 of P.L.1981, c.57 (C.18A:39-1a),
6 the board of education may apply to the commissioner for that
7 portion which exceeds the maximum amount.

8 d. The county superintendents shall:

9 (1) assist local boards of education and the chief school
10 administrators of nonpublic schools in coordinating the calendars
11 and schedules of the public and nonpublic schools to facilitate the
12 coordination of transportation of pupils to and from school in their
13 respective county:

14 (2) arbitrate any disputes between local boards of education and
15 the chief school administrators of nonpublic schools regarding pupil
16 transportation; and

17 (3) convene a meeting, at least once a year, of representatives of
18 all public and nonpublic schools in the county to discuss issues
19 related to pupil transportation.

20 (cf: P.L.2001, c.65, s.2)

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22 2. (New section) A school district shall make the determination
23 on the manner in which transportation services shall be provided to
24 a nonpublic school pupil eligible for transportation services
25 pursuant to N.J.S.18A:39-1, and shall notify the nonpublic school
26 and the parent or guardian of the nonpublic school pupil by July 1
27 prior to the beginning of the school year.

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29 3. This act shall take effect immediately.

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STATEMENT

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34 This bill would change the date by which a school district is
35 required to notify the parent or guardian of a nonpublic school
36 student and the nonpublic school of the district's determination on
37 the manner in which transportation services will be provided to the
38 pupil. According to the State Board of Education regulations at
39 N.J.S.A.6A:27-2.3 (b), this notification is to occur by August 1
40 prior to the beginning of the school year. The bill changes the date
41 to July 1.

42 The bill also amends a section of law, section 1 of P.L.1997, c.53
43 (C.18A:39-11.1), that concerns the use of cooperative transportation
44 services for the provision of pupil transportation and makes
45 reference to the August 1 date.