

ASSEMBLY, No. 4545

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 13, 2024

Sponsored by:

Assemblyman ALEXANDER "AVI" SCHNALL

District 30 (Monmouth and Ocean)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblyman JULIO MARENCO

District 33 (Hudson)

SYNOPSIS

Requires State to bear partial cost of transportation of certain homeless students to school.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/13/2024)

1 AN ACT concerning transportation of homeless students and
2 amending P.L.1989, c.290 and P.L.2015, c.228.

3

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

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7 1. Section 3 of P.L.1989, c.290 (C.18A:7B-12.1) is amended to
8 read as follows:

9 3. The district of residence for a homeless child determined
10 pursuant to section 19 of P.L.1979, c.207 (C.18A:7B-12) shall be
11 responsible for the education of the homeless child. The district of
12 residence shall determine the educational placement of the child
13 after consulting with the parent or guardian. This determination
14 shall be: a. to continue the child's education in the school district of
15 last attendance, b. to enroll the child in the district of residence if
16 the district of residence is not the district of last attendance, or c. to
17 enroll the child in the school district where the child is temporarily
18 living, whichever is in the child's best interest. If the parent or
19 guardian objects to the determination made by the district of
20 residence, the executive county superintendent of schools shall be
21 notified and within 48 hours shall determine the placement of the
22 child based on criteria established by the State Board of Education.
23 Any appeals regarding the determination shall be resolved
24 according to rules established by the State Board of Education.

25 When the homeless child attends school in a district other than
26 the district of residence, the district of residence shall pay the costs
27 of tuition for the child to attend school in that district and shall pay
28 for any transportation costs incurred by that district; except that in
29 the case of a child who has resided in a domestic violence shelter,
30 homeless shelter, or transitional living facility located in a district
31 other than the district of residence for more than one year, the State
32 shall pay the costs of tuition for the child to attend school in that
33 district. When the homeless child attends school in the district of
34 residence while temporarily residing in another district, the district
35 of residence shall provide for transportation to and from school
36 **【pursuant to the provisions of N.J.S.18A:58-7】**, and the State shall
37 bear any cost for that transportation that exceeds the average per
38 pupil cost for transportation services in the district of residence.

39 (cf: P.L.2017, c.83, s.2)

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41 2. Section 1 of P.L.2015, c.228 (C.18A:7B-12.3) is amended to
42 read as follows:

43 1. Notwithstanding the provisions of N.J.S.18A:38-1, section
44 19 of P.L.1979, c.207 (C.18A:7B-12), or section 3 of P.L.1989,
45 c.290 (C.18A:7B-12.1), or any other section of law to the contrary,

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 any student who moves from one school district to another as a
2 result of being homeless due to an act of terrorism or due to a
3 natural disaster which results in the declaration of a State of
4 emergency or disaster by the State or by the federal government,
5 may continue to enroll in the school district in which the parent or
6 guardian last resided prior to becoming homeless for up to two full
7 school years after the act of terrorism or natural disaster; and during
8 the two-year period, if the student is enrolled in the district in which
9 the parent or guardian last resided prior to becoming homeless and
10 the student's parent or guardian remains homeless for that period,
11 the student shall attend that district tuition-free and that district
12 shall provide the student transportation to and from school . The
13 State shall bear any cost for the transportation that exceeds the
14 average per pupil cost for transportation services in the district in
15 which the parent or guardian last resided prior to becoming
16 homeless.

17 (cf: P.L.2015, c.228, s.1)

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19 3. This act shall take effect immediately and shall first apply to
20 the first full school year next following the date of enactment.

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STATEMENT

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25 This bill requires the State to bear a partial cost of the
26 transportation of certain homeless students to school.

27 Under current law, when a homeless child attends school in the
28 district of residence while temporarily residing in another district,
29 the district of residence is required to provide for transportation to
30 and from school. This bill requires the State to bear any cost for
31 that transportation that exceeds the average per pupil cost for
32 transportation services in the district of residence.

33 Current law also permits any student who moves from one
34 school district to another as a result of being homeless due to an act
35 of terrorism or a natural disaster to remain in the original district for
36 two years, provided that the student's parent or guardian remains
37 homeless for that period. In this circumstance, the original district is
38 required to provide transportation to the student. This bill requires
39 the State to bear any cost for that transportation that exceeds the
40 average per pupil cost for transportation services in the district in
41 which the parent or guardian last resided prior to becoming
42 homeless.