

**SENATE, No. 3537**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED SEPTEMBER 12, 2024

**Sponsored by:**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Senator RAJ MUKHERJI**

**District 32 (Hudson)**

**Co-Sponsored by:**

**Senator O'Scanlon**

**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: 12/9/2024)**

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.