

ASSEMBLY, No. 3652

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED APRIL 14, 2016

Sponsored by:

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

Assemblyman DAVID P. RIBLE

District 30 (Monmouth and Ocean)

SYNOPSIS

Establishes three-year nonpublic school pupil transportation pilot program in Lakewood School District to provide funding to consortium of nonpublic schools that will assume responsibility for district's mandated nonpublic school busing.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing a nonpublic school pupil transportation pilot
2 program and supplementing chapter 39 of Title 18A of the New
3 Jersey Statutes.

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

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8 1. a. As used in this section:

9 “Consortium” means a group of nonpublic schools which enroll
10 pupils for whom an eligible district is required to provide
11 transportation pursuant to N.J.S.18A:39-1 and which enter into an
12 agreement to form a consortium for the purpose of participating in
13 the pilot program established pursuant to this section.

14 “Eligible district” means a school district which in the most
15 recent school year prior to the effective date of P.L. _____,
16 c. (C.) (pending before the Legislature as this bill), supplied
17 transportation to more than 5,000 pupils residing in the school
18 district in going to and from any remote school other than a public
19 school pursuant to the provisions of N.J.S.18A:39-1.

20 b. The Commissioner of Education shall establish a three-year
21 nonpublic school pupil transportation pilot program.
22 Notwithstanding any section of law to the contrary, under the pilot
23 program, a board of education of an eligible district shall disburse
24 to the consortium an amount equal to the aid in-lieu-of
25 transportation amount for each nonpublic school pupil who is
26 attending a nonpublic school which is a part of the consortium and
27 who is required to be transported by the eligible district pursuant to
28 N.J.S.18A:39-1. The consortium shall assume the responsibilities
29 of the eligible district under N.J.S.18A:39-1 for transporting to and
30 from school the pupils for whom the consortium received an aid in-
31 lieu-of transportation amount under the pilot program. If after
32 providing the required pupil transportation any of the disbursed
33 funds remain unspent, the consortium, as it deems appropriate, may
34 provide courtesy busing to pupils who are residents of the eligible
35 district and are attending the nonpublic schools of the consortium.
36 The consortium shall refund annually to the school district after the
37 completion of the school year any unexpended funds received
38 pursuant to the pilot program.

39 c. The commissioner shall designate one eligible district to
40 participate in the pilot program. In order to participate in the pilot
41 program, the eligible district shall:

42 (1) provide to the commissioner the necessary assurances that
43 the consortium is capable of complying with the consortium’s pupil
44 transportation responsibilities under the pilot program; and

45 (2) agree as a condition of participation in the pilot program to
46 not provide any courtesy busing to nonpublic school pupils who
47 reside in the eligible district.

1 d. Two years following the establishment of the pilot program,
2 the commissioner shall submit a report to the Governor, and to the
3 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).
4 The report shall contain information on the implementation of the
5 pilot program and shall include the commissioner's
6 recommendation on the advisability of continuing the program and
7 expanding the program Statewide.

8 e. The State Board of Education shall promulgate rules pursuant
9 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
10 1 et seq.), to effectuate the provisions of this act in a manner that
11 comports with the provisions of the State and federal Constitutions.
12 The rules shall include, but need not be limited to, the process and
13 schedule for the disbursement of funds by the eligible district to the
14 consortium.

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16 2. This act shall take effect immediately and shall first be
17 applicable to the 2016-2017 school year.

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STATEMENT

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22 This bill establishes a three-year nonpublic school pupil
23 transportation pilot program. Under the pilot program, a board of
24 education of an eligible district will disburse to a consortium of
25 nonpublic schools, an amount equal to the aid in-lieu-of
26 transportation amount, currently set at \$884, for each nonpublic
27 school pupil who is attending a nonpublic school in the consortium
28 and who is required by law to be transported by the eligible district
29 to and from school. The consortium will assume the responsibilities
30 of transporting the pupils for whom it receives the aid in-lieu-of
31 transportation amount. In addition, if after providing the required
32 pupil transportation any of the disbursed funds remain unspent, the
33 consortium is permitted to use the remaining funds to offer courtesy
34 busing to pupils who reside in the eligible district and are attending
35 a nonpublic school in the consortium. At the end of the school
36 year, the consortium will be required to refund to the school district
37 any unexpended funds it received under the pilot program.

38 Under the bill, the Commissioner of Education will designate
39 one eligible district to participate in the pilot program. The bill
40 defines an eligible district as a school district which in the most
41 recent school year prior to the effective date of the bill supplied
42 transportation to more than 5,000 pupils residing in the school
43 district in going to and from any remote school other than a public
44 school pursuant to the provisions of N.J.S.18A:39-1. Under this
45 definition, only the Lakewood School District would meet the
46 criteria.

47 The bill provides that the pilot program would first be applicable
48 in the 2016-2017 school year.