

FACT SHEET ON NONPUBLIC SCHOOL TRANSPORTATION

GOAL: TO REMOVE THE “NOTWITHSTANDING LANGUAGE” AFFECTING NONPUBLIC SCHOOL TRANSPORTATION FROM THE FY’08 STATE BUDGET

The following points should be helpful to you in discussing the nonpublic school transportation issue with legislators, particularly with those on the Senate Budget and Appropriations Committee and the Assembly Budget Committee:

- ❖ Nonpublic school transportation is the ‘life blood’ of parents’ ability to send their children to a nonpublic school.
- ❖ Transporting nonpublic school children to school has been New Jersey law since 1968, but the Legislature never intended that 44.1% of the students (the 2006-2007 school year figure) would be given aid-in-lieu payments instead of transportation.
- ❖ Nonpublic school transportation will always cost more than public school transportation because it involves fewer students traveling more miles.
- ❖ We are still feeling the effects of the extensive freeze on the ceiling for nonpublic school transportation during the last decade. Since FY’91, the ceiling for nonpublic school transportation has not kept pace with inflation.
- ❖ Nonpublic school parents are helpless because the vast majority of nonpublic school students are transported by private bus contractors because districts have no more available busses. The Legislature has been unable to cap costs on these routes, and thus more and more nonpublic school routes get cancelled as a result of bids exceeding the ceiling for nonpublic school transportation.
- ❖ When a nonpublic school route is cancelled, a significant number of the students on that route are forced to transfer to a public school, against the better judgment of their parents. Parents are simply unable to transport their children to school, no matter what the aid-of-lieu payments may be. The taxpayers of New Jersey then become responsible for educating the children in public schools.
- ❖ WHILE SOME LEGISLATORS WILL CLAIM THAT THERE IS NO INCREASE IN STATE AID TO LOCAL SCHOOL DISTRICTS IN THE GENERAL TRANSPORTATION ACCOUNT IN THE FY’08 STATE BUDGET, DISTRICTS CAN STILL DECIDE TO USE THE 3% INCREASE IN GENERAL AID INCLUDED IN THE GOVERNOR’S BUDGET FOR TRANSPORTING THEIR OWN STUDENTS. THEREFORE, BECAUSE OF ANY COMBINATION OF THIS 3% INCREASE AND/OR ADDITIONAL LOCAL MONEY, NO ELIGIBLE PUBLIC SCHOOL CHILD WILL BE DENIED A RIDE TO SCHOOL DURING THE 2007-2008 SCHOOL YEAR BECAUSE OF AN IMPOSED CEILING ON THE COST OF THE RIDE. ANY INCREASE IN THE PRICE OF GASOLINE WILL HAVE NO EFFECT ON THESE STUDENTS.
- ❖ A 3.99% increase, commensurate with the increase in the Consumer Price Index (or CPI), is needed this year because of the increase in fuel costs which may double or triple that amount.
- ❖ It is difficult to determine the exact amount of money needed to cover this expenditure. There is already \$312,947,000.00 in state aid available for all transportation in the Budget. Later in the Budget cycle, it may be necessary to add dollars to cover the potential nonpublic school increase. The Department of Education will estimate the increase to be just over \$3M, based on the assumption that every route will be bid to the maximum amount of \$859 if the increase were enacted. In fact, that maximum number has been reduced over the years in which the Legislature has restored this CPI increase. In any event, this small increase will continue to provide safe rides to school for many nonpublic school students, and it is indeed a modest amount in the context of a State Budget totaling over \$33.3B.
- ❖ Nonpublic school officials and parents have made, and will continue to make, every effort to accommodate the needs of district transportation coordinators, officials of coordinated transportation services agencies, and school bus contractors by changing the opening and closing times of schools to permit the “looping” of busses.

- ❖ Nonpublic school officials and parents have also devised creative ways to make bus routes operate within the statutory ceiling by using centralized stops with more children available at each stop, in order to reduce the amount of time needed to operate a route. HOWEVER, THESE CREATIVE SOLUTIONS CAN ONLY HELP FOR SO LONG WITHOUT ADDITIONAL FUNDING.
- ❖ Nonpublic school students also ride on busses with public school students in order to create greater efficiency.
- ❖ Under the provisions of *NJSA* 18A: 39.3, districts may renew contracts for routes for the transportation of students as long as the increase in the original contract price does not exceed the rise in the Consumer Price Index. However, the notwithstanding language in the FY'08 Budget prohibits the rise in the CPI from being applied to the ceiling for nonpublic school transportation (another case in which discrimination occurs for nonpublic school students). Thus, the intended effects of the provisions of *NJSA* 18A: 39.3 are negated by the current budget language, and public school students will not be denied a ride to school, while nonpublic school children will.
- ❖ The “notwithstanding language” reverses the provisions of *NJSA* 18A: 39-1A, signed into law on January 10, 2002, to provide the CPI increase to nonpublic transportation. The bill received wide bipartisan support during its passage.