

Public Notice

Education

State Board of Education

Notice of Receipt and Action on Petition for Rulemaking

Transportation of Pupils Remote from Schools

N.J.S.A. 18A:39-1

Petitioner: Timothy Fletcher.

Take notice that on March 4, 2020, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the above petitioner requesting the State Board to amend N.J.S.A. 18A:39-1 to reduce the distance from students' homes to school to qualify for mandated transportation in non-urban areas.

N.J.S.A. 18A:39-1 requires a district board of education to provide transportation to elementary school students who live more than two miles from their public school of attendance. The State law also requires a district board of education to provide transportation to secondary school students who live more than 2.5 miles from their public school of attendance.

The petitioner requests that the law be amended to require a suburban or rural school district to provide transportation to elementary and secondary school students who live more than one mile from their public school of attendance.

The petitioner's request stated that it is unrealistic to expect students who live in a suburban or rural area with limited or non-existent public transportation to walk two or more miles in various weather conditions and on unpaved streets or areas where there are no sidewalks. The petitioner's request also stated that the existing mileage requirements are extremely difficult on working parents and cause an undue financial hardship and stress.

The petitioner's request stated that the existing distance requirements for busing make sense in an urban environment where there are multiple methods of transportation. The petitioner suggested maintaining the existing distance requirements in urban areas, which would be defined using the Census Bureau's calculation as an area having 50,000 or more people, as well as an area where a reasonable method of alternative public transportation is available.

The State Board does not have the authority to amend State law as that is the responsibility of the New Jersey Legislature.

Therefore, the petitioner's request is denied.