
Public Hearing

before

ASSEMBLY TASK FORCE ON COURTESY BUSING

“Gathering information for the study of courtesy busing of pupils in New Jersey”

LOCATION: Jackson Township
Municipal Building
Jackson, New Jersey

DATE: December 17, 1996
7:00 p.m.

MEMBERS OF TASK FORCE PRESENT:

Assemblywoman Barbara Wright, Chairwoman
Assemblyman Joseph Azzolina
Assemblywoman Connie Myers
Assemblyman Joseph R. Malone III
Assemblywoman Barbara Buono

ALSO PRESENT:

William J. O'Brien
Office of Legislative Services
Aide, Assembly Task Force on Courtesy Busing



Hearing Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, CN 068, Trenton, New Jersey

TABLE OF CONTENTS

	<u>Page</u>
Assemblyman Melvin Cottrell District 30	2
Peter H. Carlson Mayor Jackson Township, New Jersey	3
Vicki Rickabaugh Deputy Mayor Jackson Township, New Jersey Liaison, Board of Education	5
Marvin Krakower President Jackson Township Board of Education	6
Rita M. Sweeney President Ocean Township Board of Education	9
Carl I. Johnson, Ed.D. Superintendent Delran Township School District	10
Pauline Glenn Member Bordentown Regional School Board	16
James F. Black, Ed.D. Superintendent Bordentown Regional Schools District and representing Bordentown Board of Education	17

TABLE OF CONTENTS (continued)

	<u>Page</u>
Robert Alberti Chairman Finance Committee and Transportation Committee Howell Township Board of Education	19
Gus Kakavas Chairman Legislative Committee School Transportation Supervisors of New Jersey	23
Al Brenner III Private Citizen	26
Michael J. Ruppel Cofounder of ProBus Jackson, New Jersey	30
Joseph A. Ernst Private Citizen	31
Dale A. Cali Private Citizen	33
Julia K. Hungerford Principal St. Aloysius School	34
Sarah J. Moore Private Citizen	35
Doris Borup Private Citizen	40
Stanley Dziekan Private Citizen	41
Charlene Jenzer Private Citizen	43
Michelle Lawrence	

TABLE OF CONTENTS (continued)

	<u>Page</u>
Block Captain Neighborhood Watch Jackson, New Jersey	45
Armando Ciallella Private Citizen	46
Roden S. Lightbody Chairman Ocean County Traffic Safety Committee, and Vice-Chairman High Accident Location and Hazardous Locations Committee New Jersey State Safety Council, and Ocean County Traffic Engineer	47
APPENDIX:	
Statement plus attachment submitted by Assemblyman Melvin Cottrell	1x
Testimony plus attachment submitted by Marvin Krakower	3x
Testimony submitted by Rita M. Sweeney	7x
Testimony plus attachments submitted by Carl I. Johnson, Ed.D.	9x
Statement submitted by James F. Black, Ed.D.	16x

TABLE OF CONTENTS (continued)

APPENDIX (continued):

Page

Statement submitted by Gus Kakavas	19x
Testimony submitted by Al Brenner III	21x
Statement submitted by Julia K. Hungerford	23x
Testimony plus attachments submitted by Sarah J. Moore	24x
Letter addressed to Hon. Barbara Wright from Deborah Whittle	52x
Letter addressed to Honorable Barbara Wright from Mandy Ballasy	54x
Letter addressed to Honorable Barbara Wright from Irene Tagarelli	55x
Letter addressed to Hon. Wright from Mr. and Mrs. J. Cummings Sr.	56x
Letter addressed to Honorable Wright from Janice Bazydlo	57x
Letter addressed to Mrs. Wright from Arlene Chan	60x

TABLE OF CONTENTS (continued)

APPENDIX (continued):

Page

Letter addressed to Hon. Barbara Wright from Frances M. Johnson	61x
Letter addressed to Hon. Barbara Wright from Gloria Tait	62x
Letter addressed to Hon. Barbara Wright from Miles and Karen Brown	63x
Letter plus attachment addressed to Your Honor Barbara Wright from Molly Schenk	64x
Letter plus attachment addressed to Hon. Barbara Wright from William G. Dressel Jr.	66x
Resolution submitted by Borough of Paulsboro	69x
Letter plus attachment addressed to Governor Christine Todd Whitman et al. from John J. Deserable	71x
Resolution submitted by Lower Alloways Creek Board of Education	73x
Letter plus attachments addressed to	

New Jersey Assembly Task Force on Courtesy Busing from Mayor Janice S. Mironov	74x
---	-----

TABLE OF CONTENTS (continued)

APPENDIX (continued):

Page

Letter plus attachment addressed to Assemblywoman Barbara Wright Mark H. Sperber	82x
--	-----

Letter plus attachment addressed to The Honorable Christine Todd Whitman from Jerome F. Bohnert	85x
---	-----

Letter addressed to Hon. Barbara Wright from Maryann Seppy	88x
--	-----

Letter plus resolution addressed to Honorable Barbara Wright from Vincent S. Smith	89x
--	-----

Letter plus attachments addressed to The Honorable Barbara Wright from Commissioner Leo Klagholz New Jersey Department of Education	91x
--	-----

Letter plus attachments addressed to Honorable Barbara Wright from Assistant Commissioner Jeffrey V. Osowski New Jersey Assistant Commissioner of Education	112x
--	------

Letter addressed to Hon. Barbara Wright from Brian and Joanne Lofferty	127x
--	------

Letter addressed to Hon. Barbara Wright from D. Nowosielecki	129x
--	------

Letter plus resolution	
------------------------	--

addressed to The Honorable Governor Christine Todd Whitman
from Beatrice M. Iden

130x

TABLE OF CONTENTS (continued)

APPENDIX (continued):

Page

Letter plus resolution
addressed to The Honorable Barbara Wright
from Elizabeth J. Fritzen

133x

Testimony
submitted by
Sister Rosemary Bucchi, Principal
Iris Mariani, PTA President
Saint Raphael School

135x

Letter plus resolution
addressed to The Honorable Connie Myers
from Joseph T. Abel

137x

Assembly Education Committee
Proposed Courtesy Busing Amendments
to Assembly Committee
Substitute for Assembly Bill No. 20

141x

lb: 1-54 (Internet edition 1997)

ASSEMBLYMAN JOSEPH R. MALONE III (Chairman): I'd like to call this hearing to order, please. Is there anyone who has not gotten a slip who wishes to sign up and speak? (no response) Okay, if you would please bring those slips forward, so that we can properly put you in order to speak. Okay.

We're going to start. Assemblywoman Barbara Wright, who is the Chairwoman of the Task Force, has not arrived yet, but I think there's a number of people here who have other very pressing meetings they have to go to with the school board. So what I would like to do is get started. As soon as Assemblywoman Wright comes in, she can take over the meeting.

As many of you know, this has been a very critical issue for a number of communities across the State. Assemblywoman Barbara Wright and Assemblyman Paul Kramer had introduced a resolution requesting that a task force be set up on courtesy busing. With that as a background, the Speaker put that resolution up for a vote. It was passed, basically, unanimously. That is one of the reasons why we're here this evening, to get testimony from individuals throughout the State regarding this very critical issue.

What I am going to do is-- I will have some comments, but because of the fact that some of the school board members have to run back to the school board, what I'd like to do is get the testimony started.

I'd like to start off by having Assemblyman Mel Cottrell, who represents the 30th District and, also, is a Jackson resident, to come up and speak.

WILLIAM J. O'BRIEN (Committee Aide): Call the roll first.

ASSEMBLYMAN MALONE: Okay. Excuse me one second, Mel.
Could we have a roll call, please?

MR. O'BRIEN: Sure.

Assemblyman Malone.

A S S E M B L Y M A N M E L V I N C O T T R E L L: First of all,
Chairman, I want to--

ASSEMBLYMAN MALONE: Mel. Just one second, Mel.

MR. O'BRIEN: Assemblywoman Myers.

ASSEMBLYWOMAN MYERS: Here.

MR. O'BRIEN: Assemblyman Malone.

ASSEMBLYMAN MALONE: Here.

MR. O'BRIEN: Assemblywoman Buono.

ASSEMBLYWOMAN BUONO: Here.

ASSEMBLYMAN MALONE: Okay, Assemblyman.

ASSEMBLYMAN COTTRELL: Okay. First of all, Chairman, I
want to thank you for holding this hearing in my hometown of Jackson. It's
a great town, and riding through it, I've seen a lot of problems that we have.

I, along with my 30th District colleagues, Senator Robert Singer
and Assemblyman Joseph Malone, have great concern with the issue of
courtesy-safety busing. It is a matter of great debate and review and has even
been addressed in our own 30th District Task Force on Education.

Now, you can see we have schools in this area that are-- It's very
rural. It happens to be the third largest township in the State of New Jersey
having four square miles and roads that are -- dating back and have no
shoulders on them, no place where kids can walk to school within the two-mile

limit. Not to be funny or anything, but it seems to me Jackson is part of a speedway to Trenton. People speed through Jackson every morning when these kids are ready to go on the bus, and there are a lot of hazardous incidents in this town.

I'm not going to say much. There are a lot of people here who want to say and let you know the problems that they have. I commend you, your Task Force meeting to learn what the problems-- Every town has different problems. There are no two towns alike in the State of New Jersey. I don't care what anybody says. We all have different problems and busing -- courtesy busing -- is really a great problem, and I know that it has been put in the forefront of the bill.

I still applaud you for listening to the concerns of the people of Jackson Township. And I thank you very much for having me open up, and I welcome you here.

ASSEMBLYMAN MALONE: Thank you very much, Assemblyman.

The next speaker-- We will have the Mayor, Pete Carlson, and Councilwoman Vicki Rickabaugh. Would you please come up.

Committeewoman Rickabaugh, could you also come up?

MAYOR PETER H. CARLSON: All set, Joe?

ASSEMBLYMAN MALONE: Yes. Just so we have it for the record, if you could just restate your name and your position.

MAYOR CARLSON: Peter Carlson, Mayor of Jackson Township. I'd like to welcome you, as the Mayor, to Jackson, Assemblypeople -- Assemblyman Azzolina just came in I see -- and we are very pleased that you

were able to hold this committee hearing in Jackson because-- Jackson, as Assemblyman Cottrell said, is kind of unique. We have over 100 square miles, so busing is vital. You have some smaller towns where perhaps everybody in town can walk to school. In Jackson the majority, especially the high school and middle school people, are all bused.

So courtesy busing, or safety busing, as I like to call it, is vitally important to Jackson. We had a very serious problem here last year over the courtesy busing situation. I had the opportunity today to read the section of the bill that came out of committee yesterday concerning the busing. While I'm sure that it doesn't make everyone completely happy, it certainly is going to rectify the situation so we will not have the serious problem and really divisiveness that came about because of last year's problem.

So, again, I would like to thank you very much on behalf of myself and the Township Committee -- I know Mrs. Rickabaugh, Deputy Mayor Rickabaugh, has a few additional comments -- that we really appreciate what you've done and what all the Assemblypeople have done, as far as getting this bill out. And hopefully, the Governor will be signing it very soon, as soon as you guys get it through. I really appreciate what has been done, and I hope you will keep working on this. Let's not just say we've got the problem completely solved. There are still more problems to solve, but you've certainly got the biggest part out of the way. I appreciate it.

Thank you.

ASSEMBLYMAN MALONE: Thank you very much, Mayor.

Deputy Mayor Rickabaugh.

DEPUTY MAYOR VICKI RICKABAUGH: Yes. First of all, I would like to thank everyone for being here, and thank you for having the meeting here. I'm here tonight not only as liaison of the Board of Education and Deputy Mayor, but I'm here tonight as a mother of four. It is with deep appreciation and gratitude that I thank the Task Force and the Members of the Committee for all that they have done.

Because of the Task Force and because of the amendments sponsored by Chairwoman Barbara Wright and Assemblyman Joe Malone, we in Jackson should never again have to face the busing issue crisis that we had to face this year. In fact, hopefully, no parent or child in this State should be concerned with this issue ever again.

It is my understanding that yesterday the school funding bill was passed by the Appropriation Committees in both houses. It is my belief that within a few, short days it will pass the full Legislature and be signed by the Governor. All I can say is what a difference a day makes.

I am proud in some small way to have been part of this process, because it was Bob Slattery and myself, through the Jackson Township Committee, who initiated interaction between Senator Singer, Assemblyman Malone, and Assemblyman Cottrell concerning new legislation on the funding process for safety busing.

At every level, people must work together to achieve the desired effect. As a member of the Jackson Township Committee, I look forward to continuing our joint efforts with the Board of Education and with our local legislators.

Once again, I extend a special thank you to you, the Task Force, and all who made the passage of this bill possible. Thank you for putting our children first.

ASSEMBLYMAN MALONE: Thank you very much, Deputy Mayor.

The next two speakers will be Dr. Elms and the President of the School Board, Marvin Krakower.

M A R V I N K R A K O W E R: Good evening, everybody.

ASSEMBLYMAN MALONE: Marvin, if you could restate your name.

MR. KRAKOWER: Sure. I sure will. Testimony is offered by Marvin Krakower, President of the Jackson Township Board of Education at the meeting of the ad hoc committee on courtesy busing of the General Assembly of the State of New Jersey.

Assemblyman Malone and members of the Committee, I am Marvin Krakower, President of the Jackson Township Board of Education. I am privileged to speak to you this evening on behalf of our Board of Education. The Board of Education, the Township Committee, and the people of Jackson have been in the forefront of this controversial issue this year, and we are pleased to welcome you to Jackson Township. I know I speak for our community when I tell you that I appreciate the sincere concern that you, members of the Legislature, have shown to the people of New Jersey regarding the issue of safety of our schoolchildren. My fellow board members are here with me this evening, and we all speak with one voice on this issue. Therefore, I have been delegated by my board to provide this message of support for

Assembly Bill 2340, which has been sponsored by the legislators from the 30th Assembly District, Assemblymen Joseph Malone and Melvin Cottrell, and by Senator Robert Singer in the New Jersey Senate.

As Assemblyman Malone stated at a meeting of the township committee, here, in Jackson several weeks ago, the time has come to set aside old formulas that have prohibited school districts from busing our schoolchildren even for safety reasons. Jackson Township is a growing community with a rapidly expanding school system. Districts such as ours are required to seek waivers from the cap on school spending. The budget cap procedure also has the effect of prohibiting the board of education from spending moneys outside of the budget line items approved by the Department of Education in Trenton. The ironic consequences of this policy has been that procedures dictated by the Department of Education for budgetary reasons have prevented the local school board from transporting children to and from school who live less than two miles or two and one-half miles from their schools, regardless of how unsafe it is for the children to walk along the route to and from school.

We know that members of this committee really do understand the problem. After examining the issue very carefully, our 30th District legislators drafted Assembly Bill 2340 to allow boards of education to provide transportation to students based on safety first. Our legislators recognized that setting an arbitrary distance for transporting children to school ignores the most important criterion, which is safety. The Jackson Township Board of Education categorically supports Assembly Bill 2340 as a necessary and

practical approach to protecting schoolchildren who live along hazardous routes and who cannot be expected to walk to and from school.

The latest information that the board of education has available to it, through the Governmental Relations Department at the New Jersey School Boards Association, is that there is a new school funding bill under consideration by the Legislature as Assembly Bill 20 and Senate Bill 40. Both bills have provisions to allow local boards of education to provide local funding for busing of schoolchildren who live along hazardous walking routes. Our Board of Education wholeheartedly supports such provisions in the school funding bill that is now being considered by the Legislature and by the Governor. We know that we can count on the members of this committee to ensure that those provisions will be contained in any new school funding legislation that will be enacted.

In closing, I know that I can speak for the Jackson Township Board of Education, for the parents of our schoolchildren in Jackson Township Public Schools, and for the Jackson Township community at large to tell the members of this committee how much we appreciate your efforts to change the law so that the solution to the problem of safety for schoolchildren living along hazardous routes will be placed in the hands of the local board of education. While the proposed solution to this problem may not be a perfect one, we think that it is a practical one that will protect our schoolchildren and schoolchildren throughout New Jersey.

Thank you very much.

ASSEMBLYMAN MALONE: Thank you very much.

Our next speaker will be President of the Waretown School District, Rita Sweeney.

RITA M. SWEENEY: Thank you for taking your time to come here this evening. We really appreciate it.

Good evening, my name is Rita Sweeney, and I am President of the Ocean Township Board of Education, also known as Waretown.

Safety busing for Waretown and courtesy busing for other districts are one in the same. Our elementary schools are both located on the west side of Route 9. We do not have sidewalks, and the roads the children would have to walk are too narrow when snow covered to allow anyone, let alone a child, to walk safely without being hit by a car. Some areas that the children would have to walk are wooded areas that would be dangerous for a child to have to walk through.

Route 9, as everyone knows, is a very dangerous highway. In the past year alone, we have had three adults fatally injured crossing Route 9. To guarantee a thorough and efficient education, a child must be able to attend school to receive this education. It is the right of every child to be able to come to school without worrying how he or she will get there. And it is the right of every parent to know that their child will arrive at school unharmed.

Wake up New Jersey. We are living with regulations which existed 40 to 50 years ago. Forty or fifty years ago, we did not have cars that were capable of going the speeds that they do today or did we have the traffic on Route 9 that we have today. Forty or fifty years ago, we did not have drug-induced motorists on the streets to either drive over the children or to pick them up.

We have one of the highest tax rates in the State: \$3.18 per hundred of assessed valuation. We cannot ask the parents of our children to pay more for safety busing.

I am asking you tonight to place all busing under transportation costs. This is 1996, not 1950. All road conditions have changed, and the very lives of our children are at stake. I ask you what good would it do to spend hours, days, and months on core curriculum planning if even one child is killed walking the roadways?

On August 14, 1995, Mr. Roden S. Lightbody, Ocean County Traffic Engineer, stated in a letter to Mr. Seeley, who is Superintendent of Schools, that "a walking program would not be realistic for Waretown" because of some of the points which I have already stated. A walking study done in July 1995 by the Ocean Township Police states that "it is strongly recommended that no children should be permitted to travel on or near any roadway without adult supervision that has unprotected waterways, drains, or open piping."

In 1995/1996, Ocean Township paid an additional \$136,470 for safety busing. I am pleading with you tonight to place all busing under one heading. Is \$136,000 worth a child's life?

Thank you very much.

ASSEMBLYMAN MALONE: Thank you very much.

Next speaker will be Dr. Carl Johnson, Superintendent of Delran Township Schools.

CARL I. JOHNSON, Ed.D.: Good evening, I'm Dr. Carl Johnson, Superintendent, Delran Township Public Schools.

Thank you for this opportunity to share with you some concerns that I have, which is what is commonly referred to as courtesy busing, and how it affects the children of the Township of Delran.

Delran is a suburban community of 16,000, located at the confluence of the Delaware River and the Rancocas Creek. The school system is K through 12, has 2200 pupils, is growing, and operates four schools: a K through 2 primary school, a 3 through 5 intermediate school, a 6 through 8 middle school, and a 9 through 12 high school.

The greatest concern I have with the current laws and regulations governing transportation of pupils is the arbitrary use of mileage to determine who is eligible for busing and who receives State support. Times have changed from when it was determined that children in Grades K through 8 could safely walk two miles to their elementary school. Many years ago, it was common to have a centrally located K through 8 school in a small community or neighborhood with all of the children walking to and from school with their neighbors and friends.

This was a time, however, before suburban sprawl, before two cars, not just one in every garage, and before the six- and eight-lane roadways needed to accommodate these hoards of commuters. It was also a time when many homes still had someone at home who kept an eye on the children as they went back and forth to school. We didn't seem to have all of these sick people preying upon the children that we read about in the papers today.

Back in those kinder, gentler times in the early '50s, when I walked to school, there was a north-south road that passed by Delran, old Route 7, I believe it was. As you traveled on the northbound lane, you would pass the

small community of Delran on your left and the rolling pastures and farmlands on your right. If you traveled this road at a certain time in the morning or evening, you may have been there when the gate was swung across Route 7 to permit the cows to cross between the pastures and the barns of the Millside Dairy.

Today, old Route 7 is now Route 130 with six lanes, a three-foot concrete median, and a posted and seldom adhered to 50 mph speed limit. The pastures and the farmland are gone and are now filled with houses clear to the boundary with the next township.

The population of Delran now straddles this major highway, which divides the town as effectively as that famous wall divided Berlin. Route 130 is a major hazard, and transporting five-year-old children safely across that barrier is certainly not a courtesy. Over the past five years, three young students have been killed trying to cross Route 130. One morning last week, in a span of 30 minutes, there were three automobile accidents within a half mile of each other. One of which had a fatality. These accidents occurred at each of the three major intersections on Route 130 in Delran, none of which are cross streets. They are dead ends and become jughandles. This is another problem that deters the ability of children to cross this highway. None of these main east-west streets continue directly as you cross 130.

Attached to my testimony are some maps that illustrate the problems that I have shared with you. I would like you to bear with me just a minute, so I can explain them to you. They are nice and spiffy, and they are all in color. They took a lot of time.

The first map shows the walking zone for our Millbridge Primary School, Grades K, 1, and 2. The pink represents the streets that are within that walking zone. The bright red line running diagonally from upper left to lower right is Route 130. You can see from this map there are no cross streets. You can see the children would have to walk to get to the Millbridge Primary School and cross 130.

The second map is for our intermediate school. It's located at the bottom of the page. If you have very good eyes or bifocals, like me, you can see the little print there that says intermediate. Here you see the pink streets on the other side of 130 from the school have expanded.

The third map, again, representing two miles, is for our Middle School, Grades 6 through 8. That school happens to be on the side closer to the river, but just as many children would have to walk now from the other side of 130 to get to that school. And finally, using the two-and-one-half-mile limitations set for high school students, you can see all but about three streets in Delran are considered walking.

Also attached is a data sheet that summarizes the problem we are facing in Delran. Using the two-mile limit for our K through 2, for five-, six-, and seven-year-old children going to Millbridge, 189 of them would have to walk across 130 twice a day. In our intermediate school, eight-, nine-, and ten-year-olds, 160 children would have to cross twice a day. In the middle school, 356. And at the high school level, 226 would have to cross to get to their respective schools.

I have focused on the dangers of crossing 130, but we have other roads that are also a hazard, one of which is Creek Road, a direct line between

Route 130 and direct access to 295. Not only does this road lack sidewalks, it doesn't even have shoulders, and it is a high-crowned road.

Delran currently buses approximately 1650 children of which only 536 are considered to be eligible according to the standards currently used by the State. This year, we will spend \$581,446 to bus our children just to and from school. State aid in support of this effort was only \$155,000. If we were to reduce our level of busing to comply with the mileage parameters set by the State, 931 children, ages five to eighteen, would have to try to safely cross 130 twice each day. I assure you, it would be a bloody slaughter.

We, in Delran, have done everything we can to control our transportation costs. We have privatized all busing at considerable savings in operational costs. We tiered all bell schedules so that our bus fleets can run routes to each school, one after another. We reduced the number of stops, as the children get older and can walk greater distances to their bus stop. For example, at the high school, they were reduced from 53 stops to 14. We use computerized routing to create the most cost-effective system possible.

Yet with all of these efforts, the State still considers us to be frivolously spending \$425,000 for so-called courtesy busing. The time has come to rethink what is necessary to get our children to and from school safely and look at the hazards they face and not just use an arbitrary mileage to determine who is eligible to be transported. School officials and local police departments could identify these hazardous routes and have them reviewed by the Department of Education or whatever other agency might be appropriate. If there is agreement, then these routes should qualify for transportation aid, regardless of the mileage.

As I stated earlier, we live in different times, and we have to be able to adapt and adjust to these changes. The school districts of New Jersey have made those adjustments, and it is now time for the State to catch up with the rest of us.

Thank you very much.

ASSEMBLYMAN MALONE: I just want to make one point for clarification before I ask Superintendent Dr. Jim Black and Pauline Glenn, member of the Bordentown Regional School Board, to come up.

Some of you may or may not be aware, but an amendment was introduced by Assemblywoman Wright and myself, supported by every member of this Task Force, to basically change the format of courtesy busing/hazardous busing in the new funding bill that's now pending before the full Legislature. Basically in that amendment, it contains the fact that courtesy busing will no longer become a football back and forth between the school board and the municipality. It goes back under the total control of the school board. It is not a separate item that is voted on by the public. It is contained within the normal budget outside of the cap. The determination of courtesy busing will be at the discretion of the school board.

This basically, I think, resolves the problem that we have about jurisdiction of busing. Everyone may not be happy. Some people may want additional money for busing, and so forth. Our major concern, at this point, was to try to bring the situation that occurred here in Jackson, in Middletown, and a variety of other communities, where this thing has caused such pain and aggravation and suffering and bring it to a situation where we put the busing back under the control of the school board and let it be worked out in that

fashion rather than continuing to have it go back and forth. So that amendment is in the bill as it stands right now. That bill will be voted on both by the Senate and the Assembly on Thursday. If it passes both Houses, it will be signed by the Governor on Friday.

I have copies of that amendment if anyone's interested. They can get copies after the meeting is over. Okay.

Dr. Black and Ms. Glenn.

PAULINE GLENN: Good evening. I'm Pauline Glenn. I'm a school board member, and I live in a small municipality. Based on what Assemblyman Malone has just announced, it partly solves part of our problem.

Our problem is that the Bordentown Regional School District budget was voted down and courtesy busing was also voted down. The children in my municipality and the junior high and the senior high school are required to walk, because my local government decided that they could not afford to pay for this required transportation that the law said was not necessary.

These children are crossing Route 130, which you've heard all about, and some of them are walking up a country road that I wouldn't want my child walking up, basically, when it's dark in the mornings. Also, in the evenings, there's a lot of traffic on this road. I feel that transportation in this busy, superhighway age is not a courtesy, but a necessity for these children.

This should not be left up to local government who will interpret the law to the strictest terminology when it comes down to the safety of our children. I realize the tax issues are important, but we have to have an alternative plan that works for everyone.

ASSEMBLYMAN MALONE: Thank you.

Dr. Black.

J A M E S F. B L A C K, Ed.D.: Good evening, Mr. Chairman and Courtesy Busing Task Force members. I must admit I came here before I knew of the most recent changes over the past 24 hours. They have been difficult to keep up with.

ASSEMBLYMAN MALONE: I'll second it. I'll assume that Assemblywoman Buono and I would both second that, both of us being on Appropriations and finalizing at 12:45 last night. Both of us are probably rather sleepy at this juncture.

DR. BLACK: Be that as it may, let me proceed.

I'm James Black, Superintendent of Schools of the Bordentown Regional School District. I am here representing the Bordentown Regional Board of Education, and most importantly, I'm here on behalf of the children -- the students who attend our school district.

Courtesy busing is an issue that is very important to Bordentown. The children in our district have suffered because of the recent rulings of the State Department of Education. As background, the Bordentown Regional School District is a K through 12 regional district comprised of Bordentown City, the Township of Bordentown, and the Borough of Fieldsboro. It is a small district of approximately nine miles bordering on the Delaware River and is located at the confluence of some of the most heavily traveled roads in the State of New Jersey. Not only do we have Route 130, but we also have Route 206, which join and cross within these municipalities. This is complicated by major county arteries, for example Route 528, which cuts across these

highways. To assume that it is reasonable to have students walk within or across these roads or to call the transportation of these students courtesy is less than rational.

I have been Superintendent in the area for 23 years. Until this year, we transported many of our students within the two-mile limits for safety reasons. Approximately 60 percent of our students are termed courtesy. Last April we were forced by the Commissioner of Education to put this hazardous transportation on a voter cap waiver, which was defeated at the polls. We are now faced with a situation in which the governments of two of our municipalities -- Bordentown City and the Township of Bordentown -- were forced to pick up, what I perceive, to be a school expense. The third municipality -- Fieldsboro -- refuses to pick up the transportation cost or even to allow the Board of Education to collect funds in its name.

Many of our students now walk to school and must cross busy highways, such as Routes 130 and 206, without sidewalks. Some students traveling to the junior school in Bordentown City walk on a very busy county road which has no sidewalks and which passes through two State penal institutions. We have been fortunate to date, but when there is snow and ice piled up at the side of the road, these children will have no place to walk except through the middle of the road.

There is no way that I can guarantee or pretend to offer a thorough and efficient education to our youngsters if I cannot be assured of getting them to school safely. Safe transportation to and from school has to be considered a part of a thorough and efficient educational process.

In this day and age, with finances as they are, there is a constant struggle for funding for education. I do believe that hazardous busing should be supported by the State and should not penalize the local taxpayers. At this point, however, when heavy traffic and other problems on the roadways endanger the welfare of our students, we are willing to accept the fact that we must provide for hazardous busing to ensure that our children have safe passage to and from school.

Please word the legislation carefully, because there have been many legislative attempts to rectify the situation, all of which have been subverted by the administration and have had no usable impact for the local districts. The Bordentown Regional Board of Education supports Assembly Bill 2340 -- I'm not exactly sure about A-20 -- and urges the legislators to review the bill extremely closely and pass it into law. Our students deserve it.

Thank you.

ASSEMBLYMAN MALONE: Thank you very much.

Okay, the next person to speak is Robert Alberti, from Howell Township Board of Education.

ROBERT ALBERTI: Good evening, Mr. Chairman, members of the Task Force. My name is Robert Alberti. I'm a member of the Howell Township Board of Education. I'm also Chairman of the Finance Committee and also of the Transportation Committee.

First, I'd like to commend the Assembly for the creation of this Task Force recognizing the high degree of parental concern with the safe transportation of children both to and from school. Second, I am aware of your amendment that has been put forth, and I think it is an excellent step in

the right direction, excuse the pun, but it may not resolve all the difficulties that we see in the long term.

I'm here tonight to give this Committee the consensus beliefs of both the Board of Education and the parents from Howell Township. But first, it's important that you understand the nature of Howell Township. Howell Township is the largest municipality in Monmouth County. It's over 62 square miles with several hundred miles of roadways and four major highways, serviced by both municipal, county, and State authorities. It is the home of over 44,000 residents. It's primarily composed of rural farmland -- both agricultural and horse farming -- with pockets of suburban development in several areas of the district.

The Howell Township School District is the largest elementary school district in Monmouth County. It's the second largest out of 227 K through 8 districts in the State. Its current enrollment is 6900 children, and it's growing in leaps and bounds. We also have the distinction of having the largest transportation budget in the K through 8 district, spending approximately \$497 per child for total transportation both pupil not attending public schools, as well as special education. Since 1985, the Howell Township Board of Education has provided 100 percent busing for children in the district.

There are several reasons for this decision. The first, it has been made very clear to us by the parents of the district that they want it. They have many concerns that have been addressed by both this Committee and other amendments that have been supplied to the Legislature, and they favor that type of busing arrangement. This is also well known to our Township

Council, because in every year since 1985 when our budgets had been defeated, they have never suggested any reductions in busing for the district.

There are three basic areas where our concerns lie: Safety to avoid traffic accidents. Crossing guards are not going to be the answers with the number of intersections and the space between them. The number of traffic guards that would have to be employed is phenomenal. Safety to avoid molestation and kidnapping. Police presence on long, barren roads and farmland and horse farming areas is not going to ever be adequate to safeguard a child of six years old walking down the street. And safety because the community believes that providing a safe and efficient education starts and ends at the bus stop.

When Commissioner Klagholz stated that it was the responsibility of the municipality to provide adequate busing and safety for the citizens of the community -- and that included children -- it was very hard not to logically dispute it. However, he surely wasn't thinking of a community such as Howell.

Schools built years ago where no sidewalks are in the surrounding area could never be serviced by an implementation of new sidewalks. The infrastructure in our particular town with nine schools throughout the 62 square miles would be phenomenal. It was also interesting to note that when the Commissioner made his statements he didn't supply any assistance for the municipalities for bonding purposes either. Who would maintain these sidewalks along these miles of farmland, and who would clear these sidewalks with the record amounts of snow we had last year? Do we really want a child of six years old to walk two miles? Does a child of six, seven, eight, or nine possess the street smarts necessary to protect themselves? There are too many

times that the State responds to a tragedy, as opposed to spending time and assistance to prevent one. Do we really want another child to cross a busy intersection or walk down a desolate street?

The many different resolutions and solutions to this problem are noteworthy. One is the Littell amendment. This was a very interesting amendment to regionalize busing for the specific areas, but unfortunately, like many other districts who are trying to reduce their busing costs by going into a regional situation, it would literally take the openings and closings of schools out of the districts' hands. The economies of scale that could be introduced by such a regional situation are going to be very hard pressed to achieve at the same level that the school districts are.

In Howell, we do have three tier busing. We have 50 percent private contractors, and we also have 50 percent of our own particular fleet. We feel that gives us the most flexibility to leverage ourselves against the private contractors' questionable bidding practices and at the same time gives us the flexibility to respond to emergency situations.

Current legislation in A-20 and S-40 talks about an efficiency factor, which is supposed to be phased in, in the second year of the bill, 1998, 1999. I'd like to strongly urge this Task Force to listen to the following problem that we have observed. In the second year, the efficiency factor to encourage better routing information is a function of a formula of the number of eligible pupils over the capacity over the buses in question. For those districts that utilize a combination of remote busing with nonremote busing, they would be in danger -- serious danger -- of losing State aid at literally no additional cost to the district. When bus routes are bid out to contractors, it's

by mileage. It's not by stops. It's not by number of students. So if we had routes coming from different areas at a remote point around each school, we literally could fill up a 54-seat bus with 54 children, of which 34 are coming from the remote spots. The balance are coming from the nonremote spots, but we would be suffering, as well as every other district that combined routes in that nature.

Knowing that it's not too late to make changes to bills that have been going through such an arduous negotiating process and also knowing that there would be no financial impact in the next year, I strongly urge this Task Force to at least broaden the definition of what is eligible to at least include those that are greater than two miles, as long as the district is providing it in their busing situation.

Lastly, our legislators have historically provided assistance to urban areas. Moneys for social programs are dedicated to educational budgets in order to overcome the adverse consequences of living in that type of environment. I believe it's time that the Legislature recognize that both rural and suburban districts have unique needs, and that the middle-class citizens need some relief with transportation.

Thank you.

ASSEMBLYMAN MALONE: Thank you very much.

Gus Kakavas, Legislative Chairman for the School Transportation Supervisors of New Jersey.

GUS KAKAVAS: Thank you, Assemblyman Malone, members of the Assembly Task Force.

Before I go to my prepared testimony, I also wanted to reiterate on the School Transportation Supervisors of New Jersey, of which I am the Legislative Chairman, on our support for Assembly Bill 2340. We think, in particular, as it deals with those issues that aren't covered by remote transportation, it's a very important bill.

I want to take this opportunity to thank the members of the Task Force for the opportunity to discuss concerns of the School Transportation Supervisors of New Jersey regarding the problems with courtesy busing and a possible solution.

As I testified in South Brunswick, the emphasis on defining hazardous routes is really an effort in futility. There are simply very few, if any, walking routes that traffic safety officials would consider hazardous free. Also, walking routes that have been in existence for decades in some communities might be totally unacceptable in others. There is a better way to address this issue.

We feel the problem should be addressed at the source, the definition of remote. It is this definition that currently requires K through 8 transportation when a student resides beyond two miles and 9 through 12 transportation beyond two and one-half miles. These parameters simply do not make sense. How can we treat a five-year-old kindergarten student the same as a fourteen-year-old eighth-grader? Why is two-point-zero miles from school not important for a thorough and efficient education, but two-point-one miles is? How can a kindergarten mother not feel that any route is hazardous that would require her five-year-old child to walk two miles to school, sidewalks or not?

We are proposing a much better remote definition. We propose that all kindergarten students receive bus transportation, regardless of the distance they live from school. This has two key advantages. One, you are providing this service to our most vulnerable students. Two, you are helping to provide a foundation of safe school bus behavior for every student, regardless of the fact that they may become walkers in the future. Even walkers go on field trips, when safe bus riding knowledge will be very important. We also propose that all first- through sixth-graders that live beyond one-half mile from school receive bus transportation. Finally, we propose that all seventh- through twelfth-graders that live beyond one mile from school receive transportation.

It is uncertain at this time exactly how many students this would add to the mandated transportation. The new reporting procedures will provide those numbers in the near future. Based on the current number of approximately 400,000 students receiving regular transportation, we estimate that at a 25 percent increase, or about 100,000 additional students receiving mandated transportation, at an estimated cost of about \$500 per pupil -- and this actually could be lower since the miles the new students would be traveling will be less than the current remote definition -- this proposal may cost approximately \$50 million. Where will the money come from?

As I suggested in South Brunswick, we recommend that you tax the source of the hazard that necessitated the change, the State's motor vehicles. Based on DMV information, there are 5,600,000 vehicles registered in New Jersey. By placing a \$10 safety busing surcharge on vehicle registration fees, you would be able to fund the entire initiative without increasing local

property or income taxes. You may, in fact, see a decrease in some property taxes since many districts are providing courtesy busing now at the total expense of the local taxpayer. That portion of the local tax levy could be eliminated.

As I said on December 2, this may not be the perfect answer, but we feel it attacks the issue in a real, definable, fundable way that will answer many a parent's prayer, "Please, put my child on a bus."

Thank you for any consideration you can give my proposal.

ASSEMBLYMAN MALONE: Thank you very much.

The next speaker is Al Brenner from Jackson, New Jersey.

A L B R E N N E R III: Thank you, and would it be okay if I stood?

ASSEMBLYMAN MALONE: The only problem with that -- are you going to be able to--

MR. BRENNER: Well, I think I talk quite loud, so I think you shouldn't have any problem. Can you hear it?

ASSEMBLYMAN MALONE: Do you have a prepared speech?

MR. BRENNER: Yes, I do.

ASSEMBLYMAN MALONE: Give him the prepared speech.

MR. BRENNER: All right, I can stand now. Thank you.

Thank you very much, Assemblyman, Assemblywoman, members of the Task Force for letting me testify this evening.

What I heard-- It's almost like someone has taken bits and pieces of my testimony, which is good. It means we are all on the same track, which makes me happy. There are certain things that I did want to point out though.

I want to just cut right to the meat of it. I'll cut this down and condense it, so I don't want to overlap other ideas.

Basically, we have a few proposals on the floor. We have A-20 and S-40. Assemblyman Malone has discussed what that proposes. We have A-2345, which states that a local police chief should be responsible for deciding what a hazard is and what is not a hazard. We have A-2340, which basically says if a hazardous condition exists, then we should supply transportation. A-2339 states that if a pupil crosses a State-owned highway or county road that the Department of Transportation or Department of Education should decide what's hazardous and what's not hazardous.

I also-- Just listening to the proposal passed-- There's almost, seems like, a formula that we want to propose about age requirements and kindergarten and first grade. I'll address that issue later.

Being a professional engineer, licensed in the State of New Jersey, I have to look at this situation as an engineer. Basically, what I see is there are definite concrete ways of determining what is hazardous and what is not hazardous. I think that task has to be taken, has to be accomplished. We all agree that we don't want our children walking a hazardous environment, but we must define what that situation is. Basically, I can give you many criteria to define that. I can develop a form that can be used statewide that any township can pick up and say, "Let's go down the checklist, and let's decide where our hazards are and do they exist and what are they."

Briefly, I'll just describe some of the things that would be on my so-called punch list. Basically, it would be horizontal and vertical alignment of a roadway, and that takes into account sight distance. What does the

motorist see? What type the roadway is. What is it made of? What's the condition of it? Is there icing problems? Is there curbs? Is there striping, what's the conditions of the striping? What are the conditions of the curbs? Is it concrete? Is it asphalt? Are there sidewalks? Are there guide-rail systems? Are there lighting? The list goes on and on.

If a group of people were gathered in a township made of concerned parents, guardians -- and you can even include the members of the local police force -- they could go out and they could examine each individual route and decide what's hazardous and not hazardous.

I was talking to a friend about presenting this -- another fellow engineer -- and basically he said, "Please, define for me what nonhazardous is." I thought for a minute. I couldn't. I basically couldn't decide how to define nonhazardous. I don't think there is a way in the State of New Jersey to define nonhazardous. I think, though, you have to take the effort to show, yes, I made a punch list, and I went down this list, and I defined it. Here it is on paper, and if an accident does occur, yes, I have enough evidence, documentation that shows I defined a hazardous condition exists. Once we have done that, we can look back at these other bills.

We definitely don't want, as a concerned parent, we don't want the Department of Transportation or the Department of Education deciding what's hazardous and not hazardous. We want to have language -- clear language -- defined verbiage that says nonpublic and public schools. We just don't want to say pupils, because that just leaves the door open for interpretation. It has to be nonpublic and public schools stated clearly.

We have to state, again, that a hazardous situation exists, and we have to present this before the Board. It's good that in S-40 and A-20 that the Board of Education would have the right to say who receives busing and who doesn't. But again, the verbiage has to be there whether it's nonpublic or public. Our Board is a wonderful Board. They see things the way we do. But down the road, we have no idea as to who will interpret this differently. So verbiage has to be included in that bill that says nonpublic and public schools.

We can't discriminate. As we just heard our last speaker say, he adopted or proposed a formula. As a concerned parent, I can't understand that he would say, "Let's give busing to a kindergarten student, but let's let a first-grader walk a half a mile." He could be walking 500 feet across a State highway. That's ludicrous, and I don't accept that as a concerned parent. I don't think anybody should write that into law, absolutely not. You should not decide based on age how far they should walk. That's like saying a hazard condition exists, but we'll just reduce its range. We'll reduce its magnitude, but we acknowledge that there is a hazardous situation there. That is not acceptable to me, and it shouldn't be acceptable to any parent in the State of New Jersey.

So basically what I'm saying is we define hazard, yes. We put verbiage in nonpublic and public. We basically will find that every road is a hazardous road in the State of New Jersey. There's only one or two towns I know of in the entire country that are not hazardous. The township is-- A community is designed where vehicle traffic travels around the perimeter of the town. Pedestrian traffic is concentrated to the central point of the town. Common ground is used. The main roadway is not used by vehicle traffic, it's

used by pedestrians only. And that is the only nonhazardous condition I know of, and I don't think that community exists in this State of New Jersey.

So basically the bottom line simply is we have hazardous roads. Put every student on a bus. Pass the law that says every student, regardless of age, regardless of mileage, receives the transportation. Some of these bills do address that issue, and they do it quite well, but we need the verbiage there. We need to be specific. We can't have any other interpretations allowed or included.

Thank you very much.

ASSEMBLYMAN MALONE: Thank you very much.

The next speaker is Michael Ruppel.

MICHAEL J. RUPPEL: Good evening, Assemblyman, members of the Task Force. My name is Michael Ruppel, and I live at 2 Ashford Road in Jackson, New Jersey. I'm here, tonight, as a concerned parent-- As the cofounder, along with Janet Hale, of ProBus, which is a grassroots organization that was born from this very issue.

From sitting in the audience and listening to the testimony tonight, I just thought back to August 12. On August 12, 1996, there was not a square inch of room in this building left to be occupied by a single person, because it was filled with concerned parents, students, and children that attended Jackson Township schools. They demanded from this municipal government -- because that's where the buck stopped -- to get busing back to their children, because it was removed abruptly without any real thought and left them with no other alternative but to find an alternate funding source or to provide the transportation themselves.

We were successful that our town fathers managed to come up with a funding source and to Band-Aid a terrible situation. From that night, we began to call ourselves ProBus. ProBus expanded, expanded out of Jackson, out of Ocean County into Monmouth County. There were people in Middlesex County that wanted to talk to us. There were people in Mercer County that wanted to talk to us. I've attended Board of Ed meetings and town meetings throughout all those counties, and each and every place I go, it's the same story: Why is this happening to us and why is it happening now?

Without going into a great deal of testimony, on behalf of all those people that I've met -- and there are literally thousands -- I'd like to thank all of you for the efforts that you put forward. It seems to me that this amendment is a step in the right direction, and it's a platform to work from. It will provide safe transportation for children to school. As you bring it along the way, through both the Houses and the Governor, and you reach opposition, for whatever reason, I challenge each and every one of you to challenge them to walk a mile in my six-year-old's shoes and to go out on those streets and see just that it's a safety issue -- it's a safety issue only. It has nothing to do with the word courtesy.

So with that, I'll end my testimony, and again I'd like to just simply thank you for the effort that you put forward.

ASSEMBLYMAN MALONE: The next speaker is Joseph Ernst.

JOSEPH A. ERNST: Good evening. I want to thank all of you for forming this Task Force and showing such concern for our communities. I also want to--

ASSEMBLYMAN MALONE: Could you speak louder?

MR. ERNST: I also want to second and appreciate the people from Jackson Township, the Board members from Jackson, also Howell and Delran and from Dover Township. I'm from Brick Township, and I've been a Transportation Driver and Supervisor for 27 years in Brick Township. I know how they feel about the safety of these children.

My big concern here, tonight, is that I appreciate your bill and your amendment to the bill. I understand the amendments to it, but also I'm confused on this other bill, 1315, where the proposal of the State relinquishing to county takeover. What's going to happen where your amendment is saying that the individual boards would have the right as to who or what is courtesy busing? What's going to happen then if I have five or six different districts in the county that's going to be controlled by a county coordinator, and they all have different-- Do you understand where I'm coming from? Can you answer me on that?

ASSEMBLYMAN MALONE: Well, we're here really to take the testimony and--

MR. ERNST: Okay.

ASSEMBLYMAN MALONE: --look into a situation that you may bring to our attention, and then have individuals look into it. Once we get the testimony, it will be coming into us -- I guess as a bound volume -- and the questions that do come up, we can try to answer those questions.

MR. ERNST: All right, fine. That is a main concern that I'm thinking about right now, as what kind of a problem would that create, or is that going to throw out your amendments if it becomes a county control

instead of individual districts. I would appreciate it if you could get an answer back to me.

Thank you very much.

ASSEMBLYMAN MALONE: Thank you very much.

Dale Cali.

DALE A. CALI: I would like to thank you for coming. I, also, am from Bricktown. I, also, am in Transportation. I did want to ask about the other amendment because to me it seems, if we're sitting here saying that the Board is going to have the authority to tell us what is going to be appropriate for our children to be bused -- if the other one comes down through -- it just kind of like, in my opinion, makes this almost like nonexistent. Because if the county takes over, we're all back into the exact same situation we are in now.

I didn't put it down, but I am a parent who has a child that is "in safety," doesn't get bused because we live what they consider next to the school and we're not eligible for it. But there was a unique situation. We had a snowstorm. My high school sits out in front of a county road. Well, when they plowed, they plowed it dead end that forced the children to walk into the traffic. The high school's on Chambersbridge Road and Brick, which now is like the central raceway for the township.

So I would like you to really reconsider what you consider safety busing and stuff, because this is a high school student, and they were forced to go through snow drifts. Well, the one child with my son lost his shoes, because he fell into a snow drift of over his hips because of plowing on a county road. I'm very concerned with the fact that you're having this meeting, and it may

all go down if the other bill passes. So I would be very concerned on where that stands.

ASSEMBLYMAN MALONE: Let me just clarify. As it stands right now, the only two bills that are going to be passing are, in the Assembly, A-20 and, in the Senate, it will be S-40. So those bills will be the bills, hopefully, that will be passing. Depending on what side of the isle you sit on, those bills will be passing this Thursday.

MS. CALI: Correct.

ASSEMBLYMAN MALONE: So other bills, I'm going to assume -- I will try to get clarification for those who are interested.

MS. CALI: I would appreciate it.

ASSEMBLYMAN MALONE: I don't think the other bills are going to go forward upon the passage of the Senate and the Assembly version of the school funding bill.

MS. CALI: I would hope so.

Thank you very much.

ASSEMBLYMAN MALONE: Julia Hungerford.

JULIA K. HUNGERFORD: My name is Julia Hungerford. I'm the principal of a very young school here in town, St. Aloysius.

In this day and age, children of any age should not walk to school. I believe this issue has nothing to do with sidewalks, crossing guards, safe streets, or traffic lights. The incident just last week in South River confirms this. I am very familiar with South River and with Kamm Avenue, in particular, where this happened having been a school principal there for many

years. South River has sidewalks. It's a nice quiet area. Not too much traffic at all, and so the children walk to school there.

How can we adults have the conscience to allow this? For anyone who doesn't know what I'm talking about, if you haven't read about it, a young girl was approached at 7:00 a.m. in the morning on her way to school, and she was asked to get into this man's vehicle. When she said no, he grabbed her. Luckily, he only got her backpack because she was able to run out of it. Sad to say, this kind of incident happens all too frequently. It is for this reason that no student at all should ever have to walk to school.

Our State must provide busing to all students of every age from kindergarten to high school -- all schools -- public, private, parochial, and nonpublic. In education, nothing should take precedence over this issue. New Jersey's children will not get any kind of education -- let alone thorough and efficient -- if they do not get to school safely. Change whatever rules or policies that dictate courtesy busing and get all New Jersey children to their schools safely.

Thank you.

ASSEMBLYMAN MALONE: Thank you very much.

Sarah Moore.

S A R A H J. M O O R E: Sarah Moore, Toms River. I thank you, Assemblyman Malone, for holding these hearings.

I attended the first public hearing in South Brunswick, and I commend all of you for your kindness and courteousness, particularly to the mothers who came forward to address the panel that day. Assemblywoman Turner is not here, but I'd like to thank her and Assemblywoman Buono. I

was very impressed with your comments and questions regarding children's safety. Assemblyman Malone, I will never forget your efforts or your dedication to the children of New Jersey. This panel has gone a long way to restore my faith in government.

I am a mother of two children who lost safe busing two years ago in Toms River. I have read all the legislative proposals, Governor Whitman's comprehensive education plan, and just recently Joan Ponessa's critical research on cost control opportunities for pupil transportation. All are well meaning, and every single one misses the critical point: the definition of remote must be challenged and redefined -- two miles, too far.

Toms River is somewhat different from other school districts. Its population is approximately 85,000 and soaring. It has been called a city without skyscrapers. The school district is very healthy. There are three high schools, two intermediate schools, and ten elementary schools. The student population is more than 17,000 and soaring. The largest class is the first grade with 1423 children.

Superintendent Ritacco recently stated in a news release, and I quote, "We are not in good shape, we are in great financial shape." Two years ago, my children did not lose bus transportation because the budget was defeated, but because of tremendous growth in new homes in my area. Three new developments sprang up almost overnight across the county highway from my development. I've included a map with the highlighted areas that I'm referring to. Two years ago, those three developments and mine received notice that children would no longer be eligible for bus transportation. A county highway runs through the area. The elementary school and the three

new developments are on the same side of the highway. My home is 1.7 miles from school and on the other side of that highway.

I have submitted just some of the documentation that illustrates the months of school board meetings, town hall meetings, parent meetings, and the hours of research our parents did to try and convince school and local officials that their plan was unsafe. The standard reply: It's the law, two miles, you walk. The municipality absolves itself of responsibility for children's safety by bonding \$75,000 per year for sidewalks and provides only 29 crossing guards for an area that is approximately 44 square miles. In Toms River, sidewalks equal safety.

On August 29, 1994, the Toms River Regional School Board voted five to two, with two absent, that children in my neighborhood -- those children living the farthest from school under the proposed walking plan and on the opposite side of the highway -- would be ineligible for bus transportation. Those children in the developments on the same side of the highway as the elementary school would continue to receive bus transportation and do so to this day. I'm grateful that they do.

When the smoke cleared from that decision, it was announced that third-, fourth-, fifth-, and sixth-graders in my neighborhood alone would be ineligible for transportation. Kindergartners, first-, and second-graders would continue to receive transportation because the distance was too far and the hazards too great. I am grateful for that decision. But what of my son? My fourth-grader? My friends' and neighbors' children?

Questions continue to haunt me to this day. First, if a highway is unsafe for kindergartners, first-, and second-graders, how is it safe for third-,

fourth-, fifth-, and sixth-graders? If a highway is unsafe for children on one side, how is it safe for children on the other? How could the school district impose a 1.6-mile safety limit for some children, but not others? School officials told us repeatedly that transportation costs were escalating. But what did the district really save by removing a handful of elementary school children from the safety of a bus? The bus route was not discontinued, a bus driver wasn't retired, a bus wasn't taken off the road.

Toms River transports 14,000 children to school every day, twice a day, five days a week. Almost 4000 of these children, according to the Application for State School Aid, are bused as a courtesy. In 1994, the approximate cost to the school district was \$7 million. What were the savings? In fact, it cost the district thousands of dollars to change the configuration of the elementary school driveway to handle the increased car traffic of parents picking up and dropping off their children.

The board's decision had a disastrous effect on the four developments. It pitted neighbor against neighbor, friend against friend, old development against new, and school board against parents. The bitterness and acrimony continues to this day. It fueled two bitter school board elections. Parents who were coming together for the good of their children now no longer speak to each other. It would have been far more equitable to bus all the children or walk all the children. The worst aspect of this decision was that it divided the elementary school community and, literally, pitted one side of the road against the other.

In my map, or in the map that I have included, I think it best exemplifies how dangerous the remote definition is in 1996 and how difficult

it is becoming for school district personnel to decide who walks and who rides in two-mile areas that are inundated with increasing car and truck traffic. I have to remind no one that this is the home state of Megan's law. The public perception is that our children are not really safe anywhere, yet the State mandates that they walk two miles from home to school.

I realize that school officials are coming under increasing pressure to remove so-called ineligible students from buses without regard to ages or hazards they face. This is done in order to continue receiving State aid and contain costs. But school officials are being forced to overlook safety concerns. They are being put in the appalling position of deciding who can take their chances walking and hoping that a municipality will foot the bill for those children who can't.

Gus Kakavas, Director of Transportation for the Toms River Regional School District, faces the dilemma every day at 10 different elementary schools. I believe that is why he and every other member of the School Transportation Supervisors of New Jersey are proposing that all of the State's kindergartners be bused and elementary school children beyond one-half mile receive transportation. It's a good beginning.

Amending the definition of remote to one-half mile for all elementary school children will, in my opinion, do the following:

- 1) significantly reduce the time from home to school;
- 2) reduce the pick-up and drop-off traffic around schools;
- 3) reduce the number of traffic hazards;
- 4) allow crossing guards to be concentrated around schools rather than being scattered throughout municipalities;

- 5) eliminate inconsistent walking programs;
- 6) eliminate inefficient transportation where buses are transporting a few children because of hazardous routes;
- 7) eliminate discriminatory walking plans that disrupt and divide communities.

Finally, I realize that this issue is about dollars, as well as distance. But I sincerely hope that this committee will go beyond restoring the status quo and bring New Jersey in line with every other state on the eastern seaboard in making the distance equitable and realistic -- two miles, too far.

Thank you.

ASSEMBLYMAN MALONE: Doris Borup.

Assemblyman Azzolina has come in. He's probably not new to many of you in the audience, as he's a legislator from a neighboring municipality. Assemblywoman Barbara Wright, who is the Chairwoman of this Task Force, has arrived. I guess she's had some unexpected delays.

If you would like to take over, Assemblywoman?

ASSEMBLYWOMAN WRIGHT: I just want to thank you, Assemblyman Malone, and I appreciate the work that you are doing.

ASSEMBLYMAN MALONE: We were worried about you.

ASSEMBLYWOMAN WRIGHT: That's why we tried to reach you prior.

ASSEMBLYMAN MALONE: Okay.

Please, continue.

D O R I S B O R U P: Okay. I'm a resident. I live here in Jackson. My son attends St. Aloysius. He's in first grade.

The matter with safety busing and courtesy busing-- First, I think we have to drop courtesy busing and just call it safety busing. My neighbor has sidewalks. I live maybe one house over to the bus stop. I get up every morning. I stand there, and I wait for the bus. When the bus comes at the end of the day, I'm there again to pick him up, even though I have sidewalks. He could get off, come right up to my door, but it's a matter of safety. Do I have to worry all day long being home, did he even get on the bus and get there? So basically I think it is just a matter of safety at the point that-- I know a lot of people agree. Even if we had sidewalks, we had the crossing guards, we have-- They're saying a half-mile limit. I don't think a lot of people would still let the smaller children walk. I know I wouldn't. I would get up, if I had to, and drive that half mile, which puts us back into the traffic jam again.

But I would just like to say that, I think, it's a matter of safety for all the kids. It's not a matter of a hazardous route, because every route is hazardous. Just going to the corner, you don't know anymore. That's it.

Thanks.

ASSEMBLYMAN MALONE: Thank you very much.

If I mispronounce this, you'll have to forgive me. It's Stanley-- Thank you, Stanley. You allowed me not to be embarrassed.

S T A N L E Y D Z I E K A N: Good evening, ladies and gentlemen, I'm Stanley Dziekan. I live at 415 Fourth Street in Jackson. I moved down here two years ago.

I want to commend you for this bill. There has to be busing in here, because I live on Route 528, and there are houses coming over there with

kids galore -- kids galore -- and it has to be it. This morning I took a ride over by Home and School, and I saw crossing guards where there were sidewalks and the kids walking to school. That's great, as long as they have crossing guards.

But in the area within two miles, where the roads are bad -- I mean, they are hazardous-- You go down Bennetts Mill Road, you go down Butterfly Road, you go down East Veterans Highway -- man, that's a dangerous highway. Yesterday morning I was going down Butterfly Road, the school went by past, my wife's in the car, and we're going down, and my wife says, "Watch it, Stanley." Here comes this guy backing out of the driveway. He didn't care about the school bus. He didn't care about nothing. That's how Butterfly Road is short. Where the roads are hazardous, I think we should have courtesy busing. Where if you can't get the whole thing-- Where the town and the Board of Education can get it, so these kids will have courtesy busing, this is essential.

I heard a couple of ladies talking about, well, there's muggers on the street, there's rapists on the street, and all that. Well, if they get them guys, put them in jail, and forget about them. I lived up in an area-- I worked in the Irvington High School 17 years. We had teachers molesting students. We had janitors-- We had everybody molesting kids. They put them away for awhile. We had a janitor that worked up there -- I mention no names -- he got caught molesting children up there. He got seven years. All of a sudden because he read "The Lord I shall not want or--" he got four years. He got good behavior. And what happened? I moved down here, my wife goes on grand jury where is-- My God, this guy got caught again down here. And my

wife told the prosecutor, "I cannot take this case, because I know this gentleman. And if my husband was down here, that guy wouldn't be walking." But, if you have criminals down here, they should be put away. The town should put them away.

But we have to have courtesy busing down here. If it's in with their two-mile radius and you can't do it, I think the town and the Board of Education should compromise, come up with a plan that they can do it.

Thank you all, thank you gentlemen and have a happy holiday.

ASSEMBLYMAN MALONE: Thank you, Stanley.

The next speaker is Charlene Jenzer.

CHARLENE JENZER: Hi, how are you doing this evening?

I'm a resident of Jackson Township for about seven years now. I have not been affected by the courtesy busing issue until this year, but have been involved with it for the last two years. This issue will continue being an issue unless a law is changed.

I run a crime prevention program. One of the things we teach is safety, the same as our schools teach safety to our children. In our crime prevention program, we have learned to change our routines not to become victimized. Our children are on a routine. They go to school a certain time, they come home from school a certain time. If these children are out on the street, you open these children up to molesters, and God knows, we've seen this in the newspaper plenty of times.

We must take into consideration today's society. Crimes against children are frequently in the newspaper. Single-parent households are on the rise. Many of our roadways are unsafe for children to be walking. Children

mature at different levels and cannot be depended upon to cross roadways, and so forth.

We are fortunate that our municipality paid for the safety busing for the 1996-1997 school year. This is a Band-Aid effect. The 1997-1998 school year -- we will be back at the starting point all over again if this law is not changed. Busing in today's society should not be a courtesy, but be mandatory. We should prevent a tragedy from happening instead of waiting until a child is -- a life is taken or is molested before changing a law. What do we say to the parent that has lost that child? Your child was not worth the price of a bus.

I have a child now that is affected by the courtesy busing. He is five years old. I am here on behalf of my program and the 200-and-some-odd children that live within my community alone. If the school teaches our children safety programs, say no to strangers, and so forth, busing also is a safety. We cannot teach our children safety unless they get to the school to be taught it. This is part of the responsibility of our township. It's a part of our responsibility as parents. But parents that are in single-family households are concerned.

I am married. I am fortunate enough to be home and be there for my child. But I know many people within my community that are single-parent households that their job will not structure the time around them bringing their child to school and picking up. A lot of people don't want to trust their children with other people, because of molesting, and so forth, because a lot of times it is done by somebody that they do know, a neighbor, a relative, a friend, and so forth.

I'm really glad that you guys came out tonight. We do appreciate it. This is a plus for Jackson Township, as well as all other townships that are being affected by it. But like I said, I don't want to be one of these parents crying over the death of my child. I want to prevent that from happening.

Thank you very much.

ASSEMBLYMAN MALONE: Thank you very much.

We have one more speaker who is listed. Anyone else who wishes to speak, there are forms.

Before I ask Michelle Lawrence to come up, if anyone would like to speak, please get a form, fill it out, and bring it up to the front.

Michelle, if you'd like to come up. Michelle Lawrence.

MICHELLE LAWRENCE: Members of the Assembly Task Force, thank you for affording me the opportunity to speak this evening.

My name is Michelle Lawrence. I am speaking to you both as a mother of three and a member of our local crime prevention program, Neighborhood Watch.

I wish to encourage you and all of your constituents to vote in favor of the courtesy busing bill. I will also encourage you to vote in favor of any bill which increases the safety factor for our children. As I said, I am a mother of three. My oldest attends Home and School. My second child is ill of health. If I have to personally take my oldest son to school, it imperils the younger. I worry for the safety of my children and those of the neighborhood.

As Block Captain of our local crime watch program, I am concerned with the young children having to walk through the streets and then the woods in order to reach our grade school. The children's ages in question

range from five to nine years old. The older students fall into the required busing guidelines, yet the younger are required to walk according to current guidelines.

I earnestly encourage you to do everything in your power to ensure safe transportation of our children, regardless of age, from and to school. This safety issue extends beyond what can be seen. It extends into the homes of each child, and it affects the health and safety of sick siblings.

Thank you.

ASSEMBLYMAN MALONE: Thank you very much.

Armando Ciallella.

ARMANDO CIALLELLA: Ciallella. (corrects pronunciation)

ASSEMBLYMAN MALONE: Ciallella, okay.

MR. CIALLELLA: I'm a resident of Brick Township. I came-- I was born in 1928, and I lived up in a little town in North Jersey. We had sidewalks. We had it all. We walked to school. It was great. Progress-- I moved down here, no sidewalks. We're going the other way.

But I'd like to extend an invitation. There are ratings, they come to Brick Township, and state we got 10 schools. Station yourselves in front of each school at 7:00 in the morning, especially this last week with this inclement weather. You're going to see cars heading for that part of the Parkway, heading for that part of the Parkway, and then the back road to Route 9. That's what Brick is like in the morning. It's a horror show to have these kids-- You got Route 70, Route 88 within a quarter of a mile of each other. I mean it's nice to do this, but it's nice to go out there and see it. I think Brick is a unique little town to really get a story about this busing.

Thank you.

ASSEMBLYMAN MALONE: Thank you.

Roden Lightbody.

R O D E N S . L I G H T B O D Y: Assemblyman Malone, and ladies and gentlemen, I'd like to thank you very much for the opportunity to be here this evening. My name is Roden Lightbody. I live in Toms River, Dover Township, New Jersey. I am the Chairman of the Ocean County Traffic Safety Committee. I'm also the Vice-Chairman of the New Jersey State Safety Council's High Accident Location and Hazardous Locations for the State. In addition to that, I do work for the County of Ocean. I am the Traffic Engineer of Ocean County.

I'm here this evening to plead with you to support Assemblyman Malone and Assemblyman Cottrell in their efforts to protect the people who are not here in this room -- the ones I want to speak for -- and those are the kids, the children. You see, they depend on us. They're the ones that turn to mom and dad and grandmom, grandpop, and they look for us to get them to wherever they're supposed to be for whatever reason they're supposed to be there.

We take these youngsters and we place them into a situation that in many, many times is crucial to them. We look at a car that drives by the roadway, and we can guess the miles per hour maybe. Some of us will give a variety, but they really can't. They don't see it like we see it.

Are we opposed to walking? Walking's healthy. We know we need to walk. We know we need to exercise. But there is nothing out there that is going to give the guarantee that's needed to walk these children as a

result of a word known as courtesy and another word known as busing. You can go a half a mile, you can go a quarter of a mile from any one of these locations that have been spoken about, and you will hear and see exactly what we're talking in reference to. We plowed snow last year that we couldn't even walk even on sidewalks, that roadways had sidewalks. That's how deep the snow was.

We have an Assemblyman who is no stranger to Ocean County, and that's Mr. Azzolina. He tried to put legislation through to establish what was known as hazardous route. That immediately brought the attention to the fact that if you declared a hazardous route, you declared it 24 hours a day, seven days a week. Everyone ran from it and said, "Uh-uh. We're not going to do that." But give him an A+ for the effort that he put forth to help solve a very serious problem, one that has been around for quite a period of time. When you say that we should invite you out to look at the roadways, Joe Malone's no stranger to the problems facing Jackson Township, neither is Mel Cottrell. They know the roadways, the network that they are dealing with. They see it, and they took the time to watch youngsters walk down a roadway, and then were able to relate to areas that were adjacent to it.

Identify the system. That's the very first thing you have to do. You see, it's too easy to say, "Okay, we'll cut the budget, so we'll eliminate courtesy busing." That was the easy way to go. Now, let's go the hard way. Let's inventory the roadway. Let's go out and take a look at what's really there, and then, after we make that list, including the streetlights along the roadway for when it's dark -- as it is rapidly approaching, the longest day of the year is soon upon us -- let's see what we deal with on the curves, the

narrowness of the road, and the lack of sidewalks. Let's look at the areas where there are bridges and culverts where we need to walk on narrow areas across those particular locations. Let's concentrate on falling into the hands of those that are perpetrators that are going to take advantage of these youngsters. They're not necessarily going to park outside the school, not necessarily. They are going to take the most remote area, and the one that's least traveled by numbers of youngsters, and they're going to be waiting. They're going to be waiting.

The burden fell upon the municipalities. Municipalities were found right in the middle of the problem instantaneously, because once courtesy busing was eliminated, it became the town's responsibility.

Well, I want to commend Director Sam dePasquale of Jackson Township and Chief William Snedden of Waretown in Ocean Township, and Chief Michael Mastranardi in Dover Township, and the other thousands upon thousands of individuals that become involved in the process and then took the time to try to do something about eliminating a very serious concern. You see, the inventory is not something that can be done instantaneously. It takes hours upon hours. Once the decision is made, then there is an infrastructure that must be constructed, whether it's building sidewalks, putting in school crossing signs, putting in pavement markings, even adding a traffic signal. No matter what the infrastructure calls for, it then must be maintained.

Now, does the infrastructure just serve the schoolchildren? No, it will be an improvement that's going to be advantageous to everyone that may use that roadway at any given time, 24 hours a day, seven days a week. The unfortunate part about it is that that work all follows the decision. You

are taking the right steps, Joe Malone. You are headed in the right direction. Put it back in the hands where it belongs. It belongs in the local officials decision. We know our system. We know our problems. We know the areas of concern. It belongs in the hands of the people. The people know their children. They know what we have to deal with, and they above all know the roadway network that they must travel back and forth to work, back and forth to shopping, and back and forth to medical facilities.

You see, there's another side to this spectrum, and that's the unfortunate side. It's when the youngster doesn't make it home. It's when the parents are called or someone's called to respond to a medical facility and then be told something drastic has happened. No matter how drastic that may be, it should not have happened. We really can't control it as individuals, because we're not dealing with every location instantaneously at the time.

So what you have before you on Thursday is not a hard decision, and it's not a partisan decision, it's one that should be made in the interest of those who are not here. Hopefully, they are tucked away right now and with sweet dreams in their minds about the holiday season and, above all, about their next bright and shiny day. We should be looking for championships to come back from baseball and football, and we should be looking for that little dancer that's going to be the stardom, that's going to offer us the next gold medal. That's what we really want to concentrate our efforts on. But until we are able to do that, of course, we need to deal with issues like this.

Joe, I can't say it enough. You did the right thing. You responded. I'm sorry that it just takes so long to get it through. Thank you all for taking your time to go through the State of New Jersey and to listen. I could fill you

a book on this problem. This is not something that you can just say that okay, it's either a yes or a no. I can tell you the ins and outs of this. I did the white paper for Rutgers University that was presented to traffic experts in the State of New Jersey. I did the slide presentation that shows all the details that you would want to become involved with on every particular issue. I'll stand arm and arm with any army that wants to go up against doing this the right way. And if the decision comes out that we should walk them, then at least we know we've done everything right, and we've done it in the process of making it as safe as possible.

Take this hazardous route and make it what it should be, as safe as possible. And I think you're taking the steps tonight to do that. Put it back in the hands of the local officials. Put it back in the hands of the people. Believe me, we'll see that this thing does not crop up as easily as it is and said and done as easily as those decisions are made that make it so difficult for the youngsters.

Thank you all and a happy holiday season to you.

ASSEMBLYMAN MALONE: Thank you.

That was our last individual who had requested to speak.

Would any Task Force members like to make any comments?

ASSEMBLYWOMAN WRIGHT: I'll make them last.

Are there other Task Force members?

ASSEMBLYMAN MALONE: Barbara.

Since this happens to be it, the town that I represent, I would like to deeply thank each and every one of you for taking the time to come out this evening. I feel honored to be on this panel with the individuals that are sitting

before you. I've had the opportunity to get to know every one of them. We would not be here on an individual basis if it were not for the concerns that we have that are identical to yours, to make sure that the children are safely, safely transported to school. I think that is something that is absolutely paramount in our minds. It's something that we haven't actually let go of since this problem was created, basically six to eight months ago. Through the leadership of Assemblywoman Wright, I think we are going to be able to come up with amendments like we have and some other alternatives to go further in looking at some of these issues.

So again, I want to thank each and every one of you for coming tonight on behalf of myself and Assemblyman Cottrell and Senator Singer who represent this town. We will continue to do everything we can at our level in conjunction with the Task Force.

Now, I'll turn it over to--

ASSEMBLYWOMAN WRIGHT: Okay. Good. I really want to enter something on the record, since this is a recorded hearing and there will be a document that will be made available that has recorded all of your testimony.

I really want to apologize again for not being able to get here earlier. But for the record, I wanted to indicate that I have received the letter from the Commissioner of Education that he promised us when we met with him at the first meeting. Commissioner Klagholz has written us, and he has attached to his letter documents listing the district cost per student for both regular and special education throughout the State of New Jersey. Because as we know from our first meeting, the average cost per student is about \$960

throughout the entire State. But we have a lot of variations, and in my district it's much lower than that. So I wanted to have some statewide comparisons. So I believe that the staff has circulated copies of these tonight for you. I plan to study these and also have asked the staff to have us examine these in light of the new funding formula bills that are under discussion right now to determine what kind of statutory changes -- besides these courtesy busing changes that we've already put in -- will impact how transportation and busing is handled throughout the State.

I think that many of us, as you all are, are doing a very conscientious job about busing students and keeping costs down. We can't expect you to do more. So what I thought this particular analysis would do is it would give us the data on statewide cost, and it would help us to target our concerns towards the school districts that might have serious problems with many higher concerns, higher costs. That's where we really need to be looking at this issue.

So I want to thank all of you also for coming. I especially want to thank Assemblyman Malone and the Task Force members who were here tonight. We will be having another hearing tomorrow evening at Hunterdon Central High School, and so we'll continue this discussion.

If you didn't hear, our authority says that we must report to the Speaker of the Assembly in January. So we do plan to have a report some time before the end of the month to give to Speaker Collins, which will give our thoughts based on the short period of time we've been studying this issue.

So unless there are any-- Would you please-- Oh, I'm sorry.
Assemblyman Azzolina.

ASSEMBLYMAN AZZOLINA: As was said, I've been working on school busing issues for some time, and this is now the next phase that we're working on. I think there are about three hearings. There is supposed to be one in Middletown Thursday. Because we're going to be in session so late on a school funding bill on Thursday, the meeting was canceled.

Every town where you can have these hearings, whether it's Hunterdon County, and I think it was your county the other day--

ASSEMBLYWOMAN WRIGHT: Middlesex, yes.

ASSEMBLYMAN AZZOLINA: --and here, you get the local people out from the local county. If we had 21 of these meetings in the 21 counties, we'd find all the same problems. Hopefully, what we're doing on Thursday with the legislation and what we've done in the past, we'll resolve most of the problems. We're not done yet. There may have to be some other legislation in the future. So each time we do some legislation, it's a step in the right direction.

I want to thank everyone for coming out, also.

ASSEMBLYMAN MALONE: Thank you very much.

(HEARING CONCLUDED)