

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/KR

P.L.2013, CHAPTER 19, *approved January 25, 2013*

Assembly, No. 2739 (*First Reprint*)

1 AN ACT concerning special education programs and supplementing
2 chapter 46 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. The State Board of Education shall promulgate regulations
8 to require school districts to develop a plan to establish stability in
9 special education programming. The plan shall take into account
10 the consistency of the location, curriculum, and staffing in the
11 provision of special education programs and services.

12 The State board regulations shall also require that when
13 developing an individualized education program (IEP) ¹**[for] with**
14 the parent or guardian of¹ a student who is prone to regression due
15 to frequent changes in location including, but not limited to,
16 students diagnosed with autism spectrum disorder, the IEP team
17 ¹**[considers] shall consider**¹, among other factors, the consistency
18 of the location of services ¹**[, and that the parent's preference of**
19 **location be given primary consideration against other factors]**¹
20 when determining in-district special education placements.

21

22 2. This act shall take effect 90 days after the date of enactment.

23

24

25

26

27 Directs State Board of Education to promulgate regulations
28 requiring school districts to develop a plan to establish stability in
29 special education programming.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted June 14, 2012.

ASSEMBLY, No. 2739

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MARCH 15, 2012

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman CONNIE WAGNER

District 38 (Bergen and Passaic)

SYNOPSIS

Directs State Board of Education to promulgate regulations requiring school districts to develop a plan to establish stability in special education programming.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/25/2012)

1 AN ACT concerning special education programs and supplementing
2 chapter 46 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. The State Board of Education shall promulgate regulations
8 to require school districts to develop a plan to establish stability in
9 special education programming. The plan shall take into account
10 the consistency of the location, curriculum, and staffing in the
11 provision of special education programs and services.

12 The State board regulations shall also require that when
13 developing an individualized education program (IEP) for a student
14 who is prone to regression due to frequent changes in location
15 including, but not limited to, students diagnosed with autism
16 spectrum disorder, the IEP team considers, among other factors, the
17 consistency of the location of services, and that the parent's
18 preference of location be given primary consideration against other
19 factors when determining in-district special education placements.

20

21 2. This act shall take effect 90 days after the date of enactment.

22

23

24

STATEMENT

25

26 This bill directs the State Board of Education to promulgate
27 regulations to require school districts to develop a plan to establish
28 stability in special education programming. The plan must take into
29 account the consistency of the location, curriculum, and staffing in
30 the provision of special education programs and services. The
31 regulations must also require that when developing an
32 individualized education program (IEP) for a student who is prone
33 to regression due to frequent changes in location including, but not
34 limited to, students diagnosed with autism spectrum disorder, the
35 IEP team considers, among other factors, the consistency of the
36 location of services, and that the parent's preference of location be
37 given primary consideration against other factors when determining
38 in-district special education placements.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2739

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 2012

The Assembly Education Committee reports favorably Assembly Bill No. 2739 with committee amendments.

As amended, this bill directs the State Board of Education to promulgate regulations to require school districts to develop a plan to establish stability in special education programming. The plan must take into account the consistency of the location, curriculum, and staffing in the provision of special education programs and services. The regulations must also require that when developing an individualized education program (IEP) with a parent or guardian of a student who is prone to regression due to frequent changes in location including, but not limited to, students diagnosed with autism spectrum disorder, the IEP team must consider, among other factors, the consistency of the location of services when determining in-district special education placements.

The committee amended the bill to: 1) clarify that an IEP is developed with the parent or guardian of a student, and 2) remove the requirement that the parent's or guardian's preference for location be given primary consideration over other factors when determining in-district special education placements.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2739

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2012

The Senate Education Committee favorably reports Assembly Bill No. 2739(1R).

This bill directs the State Board of Education to promulgate regulations to require school districts to develop a plan to establish stability in special education programming. The plan must take into account the consistency of the location, curriculum, and staffing in the provision of special education programs and services. The regulations must also require that when developing an individualized education program (IEP) with a parent or guardian of a student who is prone to regression due to frequent changes in location including, but not limited to, students diagnosed with autism spectrum disorder, the IEP team must consider, among other factors, the consistency of the location of services when determining in-district special education placements.

As reported by the committee, this bill is identical to Senate Bill No. 1949 with committee amendments, which also was reported by the committee on this same date.

SENATE, No. 1949

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 17, 2012

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Directs State Board of Education to promulgate regulations requiring school districts to develop a plan to establish stability in special education programming.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/5/2012)

1 AN ACT concerning special education programs and supplementing
2 chapter 46 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. The State Board of Education shall promulgate regulations
8 to require school districts to develop a plan to establish stability in
9 special education programming. The plan shall take into account
10 the consistency of the location, curriculum, and staffing in the
11 provision of special education programs and services.

12 The State board regulations shall also require that when
13 developing an individualized education program (IEP) for a student
14 who is prone to regression due to frequent changes in location
15 including, but not limited to, students diagnosed with autism
16 spectrum disorder, the IEP team considers, among other factors, the
17 consistency of the location of services, and that the parent's
18 preference of location be given primary consideration against other
19 factors when determining in-district special education placements.

20

21 2. This act shall take effect 90 days after the date of enactment.

22

23

24

STATEMENT

25

26 This bill directs the State Board of Education to promulgate
27 regulations to require school districts to develop a plan to establish
28 stability in special education programming. The plan must take into
29 account the consistency of the location, curriculum, and staffing in
30 the provision of special education programs and services. The
31 regulations must also require that when developing an
32 individualized education program (IEP) for a student who is prone
33 to regression due to frequent changes in location including, but not
34 limited to, students diagnosed with autism spectrum disorder, the
35 IEP team considers, among other factors, the consistency of the
36 location of services, and that the parent's preference of location be
37 given primary consideration against other factors when determining
38 in-district special education placements.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1949

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2012

The Senate Education Committee favorably reports Senate Bill No. 1949 with committee amendments.

As amended, this bill directs the State Board of Education to promulgate regulations to require school districts to develop a plan to establish stability in special education programming. The plan must take into account the consistency of the location, curriculum, and staffing in the provision of special education programs and services. The regulations must also require that when developing an individualized education program (IEP) with a parent or guardian of a student who is prone to regression due to frequent changes in location including, but not limited to, students diagnosed with autism spectrum disorder, the IEP team must consider, among other factors, the consistency of the location of services when determining in-district special education placements.

The committee amended the bill to: 1) clarify that an IEP is developed with the parent or guardian of a student, and 2) remove the requirement that the parent's or guardian's preference for location be given primary consideration over other factors when determining in-district special education placements.

As reported by the committee, this bill is identical to Assembly Bill No. 2739 (1R), which also was reported by the committee on this same date.