

18A:46-2 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:46-2 et al; 18A:7A-3; 18A:7A-20 (Education of handicapped children between 3 & 5)

LAWS 1981 CHAPTER 415

Bill No. A538

Sponsor(s) Van Wagner and Baer

Date Introduced Pre-filed

Committee: Assembly Education

Senate Education

Amended during passage Yes ~~XX~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Sept. 22, 1980

Senate Dec. 3, 1981

Date of approval January 9, 1982

Following statements are attached if available:

Sponsor statement Yes ~~XX~~

Committee Statement: Assembly Yes ~~XX~~

Senate Yes ~~XX~~

Fiscal Note ~~XX~~ Yes No

Veto Message ~~XX~~ Yes No

Message on signing ~~XX~~ Yes No

Following were printed:

Reports ~~XX~~ Yes No

Hearings ~~XX~~ Yes No

See newspaper clippings (attached)

6/22/81

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ASSEMBLY, No. 538

**STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Assemblymen VAN WAGNER and BAER

AN ACT concerning the education of certain handicapped children, supplementing chapter 46 of Title 18A of the New Jersey Statutes and amending *\*\*N. J. S. 18A:46-1, N. J. S. 18A:46-2,\*\** *N. J. S. 18A:46-6\*\**, *N. J. S. 18A:46-8\*\** and sections 3 and 20 of the "Public School Education Act of 1975" (P. L. 1975, c. 212).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. N. J. S. 18A:46-6 is amended to read as follows:

2 18A:46-6. Each board of education according to uniform rules  
3 prescribed by the commissioner with the approval of the State  
4 board, shall provide for the identification of any children between  
5 the ages of 5 and **\*[20]\* \*21\*** residing in the district and enrolled in  
6 the public or nonpublic schools of the State who cannot be properly  
7 accommodated through the school facilities usually provided  
8 because of handicaps.

9 For the purposes of this act, a child who boards at a school in a  
10 district in which his parents do not maintain a residence shall not  
11 be considered a resident of the district.

12 *In addition, each board of education shall also identify and*  
13 *ascertain, according to rules promulgated by the commissioner*  
14 *with the approval of the State board, those children **\*[less than]\****  
15 *\*between the ages of 3 and\* 5 years of age who require and who*  
16 *would be benefited by special education programs and services*  
17 *which may prevent their handicap from becoming more debilitating.*

18 *\*Each board of education shall provide information to parents*  
19 *of handicapped children below the age of 3 regarding available*  
20 *services and programs provided by other State, county or local*  
21 *agencies which may prevent their handicap from becoming more*  
22 *debilitating.\**

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

1 2. (New section) The programs and services required pursuant  
 2 to N. J. S. 18A:46-1 et seq. for handicapped children between the  
 3 ages of 3 and 5 ~~may~~ shall be provided by one or more of the  
 3A following:

- 4 a. Parent training and counseling;
- 5 b. Special programs and services in the district including pro-  
 6 grams in hospitals, homes or other institutions;
- 7 c. Special programs and services offered by other districts as  
 8 provided by agreement between one or more districts;
- 9 d. A Jointure Commission;
- 10 e. A county special services school district; and
- 11 f. Such other methods as shall be approved by the commissioner  
 12 with the approval of the State board.

1 *\*3. (New section) The Department of Education in con-*  
 2 *junction with the Departments of Health and Human Services shall*  
 3 *provide, within the limits of funds appropriated to the Depart-*  
 4 *ment of Education for these purposes, suitable programs for*  
 5 *children below the age of 3 to prepare such children for the*  
 6 *programs to be provided after age 3 pursuant to N. J. S. 18A:46-13.*  
 7 *Such services shall be provided according to rules promulgated by*  
 8 *the commissioner after consultation with the Departments of*  
 9 *Health and Human Services and with the approval of the State*  
 10 *Board.\**

1 ~~[3.]~~ *\*4.\** Section 3 of P. L. 1975, c. 212 (C. 18A:7A-3) is  
 2 amended to read as follows:

3 3. For the purposes of this act, unless the context clearly re-  
 4 quires a different meaning:

5 “Administrative order” means a written directive ordering  
 6 specific corrective action by a district which has shown insufficient  
 7 educational progress within a reasonable period of time in meeting  
 8 goals and standards.

9 “Approved special class pupil” means a pupil enrolled in any  
 10 class for atypical pupils pursuant to chapter 46 of Title 18A of the  
 11 New Jersey Statutes.

12 “Approved special education services pupil” means a pupil  
 13 receiving specific services pursuant to chapter 46 of Title 18A of  
 14 the New Jersey Statutes but excluding pupils attending county  
 15 special services school districts.

16 “Bilingual education pupil” means a pupil enrolled in a program  
 17 of bilingual education approved by the State board.

18 “Budgeted capital outlay” means those capital outlay expendi-  
 19 tures that are included in the annual school budget.

20 “Categorical programs” means those programs and services  
21 recognized in this act as requiring per pupil expenditures over and  
22 above those applicable to regular programs, as provided in section  
23 20 of this act.

24 “Current expense” means all expenses of the school district, as  
25 enumerated in N. J. S. 18A :22-8, other than those required for  
26 interest and debt redemption charges and any budgeted capital  
27 project.

28 “Debt service” means and includes payments of principal and  
29 interest upon school bonds and other obligations issued to finance  
30 the acquisition of school sites and the acquisition, construction or  
31 reconstruction of school buildings, including furnishings, equip-  
32 ment and the costs of issuance of such obligations and shall include  
33 payments of principal and interest upon bonds heretofore issued to  
34 fund or refund such obligations, and upon municipal bonds and  
35 other obligations which the commissioner approves as having been  
36 issued for such purposes. Debt service pursuant to the provisions  
37 of P. L. 1971, c. 10 (C. 18A :58-33.6 et seq.) and P. L. 1968, c. 177  
38 (C. 18A :33.2 et seq.) is excluded.

39 “District equalized valuation per pupil” means the quotient  
40 resulting from dividing the total equalized valuations in the school  
41 district by the resident enrollment of the district; provided that in  
42 the determination of the equalized valuation per pupil of a county  
43 vocational school the total equalized valuations in the county shall  
44 be divided by the total resident enrollment in all school districts  
45 of the county to obtain the county vocational school equalized valua-  
46 tion per pupil.

47 “Equalized valuations” means the equalized valuation of the  
48 taxing district or taxing districts as certified by the Director of the  
49 Division of Taxation on October 1 of the prebudgeted year.

50 With respect to regional districts and their constituent districts,  
51 however, the equalized valuations as described above shall be  
52 allocated among the regional and constituent districts in proportion  
53 to the number of pupils in each of them.

54 “Evening school pupils” means the equated full-time resident  
55 enrollment of pupils enrolled in an accredited evening high school,  
56 an evening vocational high school, and in other evening schools  
57 except schools offering programs for self-improvement and social  
58 enrichment.

59 “Goals” means a written statement of educational aspirations  
60 for learner achievement and the educational process stated in  
61 general terms.

62 “Guaranteed valuation per pupil” means the product, rounded  
63 to the nearest dollar, of 1.344 times the State average valuation  
64 per pupil for the year in which the calculation of aid is made.

65 “Joint Committee on the Public Schools” means the committee  
66 created pursuant to P. L. 1975, c. 16 (C. 52:9R-1 et seq.).

67 “Local vocational pupils” means the full-time equivalent of  
68 pupils enrolled in approved categorical vocational programs in  
69 school districts designated as local area vocational school districts.

70 “Minimum aid guaranteed valuation per pupil” means the  
71 product, rounded to the nearest whole dollar, of 11.5 times the  
72 State average equalized valuation per pupil for the year in which  
72A the calculation of aid is made.

73 “Needs assessment” means a written analysis of the current  
74 status of an educational system in terms of achieving its goals.

75 “Net current expense budget” means the balance after deduct-  
76 ing **[(i)]** **(1)** State support for categorical programs pur-  
77 suant to section 20 of this act, *(2) the difference between the trans-*  
78 *portation amount in the current expense budget and **[(3)]***  
79 *10% of the estimated approved transportation amount, and **(3)***  
80 all other revenue in the current expense budget except the amount  
80A to be raised by local taxation, equalization State support, the State  
80B support for approved transportation.

81 “Net current expenses per pupil” means the quotient resulting  
82 from dividing the net current expense budget by the resident en-  
83 rollment.

84 “Net debt service and budgeted capital outlay” means the  
85 balance after deducting all revenues from the school debt service  
86 and budgeted capital outlay budgets of the school district and the  
87 school debt service amount included in the municipal budget, except  
88 the amount to be raised by local taxation and State support.

89 “Objective” means a written statement of the intended outcome  
90 of a specific educational process.

91 “Prebudget year” means the school year preceding the year in  
92 which the school budget will be implemented.

93 “Resident enrollment” means the number of pupils who are resi-  
94 dent of the district and are enrolled in day or approved evening  
95 schools on the last school day of September of the prebudget year  
96 and are attending: (1) the public schools of the district; (2) another  
97 school district or a State college demonstration school to which the  
98 district of residence pays tuition; or (3) a State facility; provided  
99 that a district shall count pupils regularly attending both the  
100 schools of the district and of a county vocational school in the  
101 same county on an equated full-time basis.

102 *Handicapped children \***[less than]**\* \*between 3 and\* 5 years of*  
 103 *age and receiving programs and services pursuant to N. J. S.*  
 104 *18A:46-6 shall be included in the resident enrollment of the district*  
 105 *on an equated full-time basis.*

106 “Standards” means the process and stated levels of proficiency  
 107 used in determining the extent to which goals and objectives are  
 108 being met.

109 “State average net current expense budget per pupil” means  
 110 the quotient resulting from dividing the total net current expense  
 111 budget of all districts in the State by the total resident enrollment  
 112 in the State.

113 “State average valuation per pupil” means the quotient result-  
 114 ing from dividing the total equalized valuations in the State as  
 115 certified by the Director of the Division of Taxation on October 1  
 116 by the total resident enrollment in the State. In the event that the  
 117 equalized table certified by the Director of the Division of Taxation  
 118 shall be revised by the **\*\*[Division of Tax Appeals]\*\*** *\*\*tax court\*\**  
 119 on or before January 30 of the next succeeding year, such revised  
 120 valuation shall be used in any recomputation of aid for an indi-  
 121 vidual district filing such appeal but will have no effect upon the  
 122 State average valuation per pupil.

123 “State compensatory education pupil” means a pupil who is en-  
 124 rolled in preventive and remedial programs **\*\*[,]\*\*** *\*\*offered*  
 124A *during the normal school day, or in programs offered beyond the*  
 124B *normal school day or during summer vacation, which are inte-*  
 124C *grated and coordinated with programs operated during the regular*  
 124D *school day and year. Said programs shall be\*\** approved by the  
 125 State board, supplemental to the regular programs and designed to  
 126 assist pupils who have academic, social, economic or environmental  
 127 needs that prevent them from succeeding in regular school pro-  
 127A grams.

128 “State facility” means a State residential facility for the  
 129 retarded; a day training center which is operated by or under  
 130 contract with the State and in which all the children have been  
 131 placed by the State; a State residential youth center; a State train-  
 132 ing school or correctional facility; a State child treatment center  
 133 or psychiatric hospital.

134 “State support limit” means the sixty-fifth percentile net current  
 135 expense budget per pupil for the prebudget year when all district  
 136 figures are ranked from low to high. The State support limit shall  
 137 be calculated and applied separately for (a) limited purpose re-  
 138 gional districts offering grades 9 through 12, (b) limited purpose

139 regional districts offering grades 7 through 12, provided, however,  
 140 that the figure used for such districts shall be not less than 90%  
 141 of the sixty-fifth percentile for limited purpose regional districts  
 142 offering grades 9 through 12, (c) constituent districts of limited  
 143 purpose regional districts offering grades 9 through 12, (d) con-  
 144 stituent districts of limited purpose regional districts offering  
 145 grades 7 through 12, provided, however, that the figure used for  
 146 such districts shall be not less than 90% of the sixty-fifth percentile  
 147 for constituent districts of limited purpose regional districts offer-  
 148 ing grades 9 through 12, and (e) all other districts.

1 \***[4.]**\* \*5.\* Section 20 of P. L. 1975, c. 212 (C. 18A:7A-20) is  
 2 amended to read as follows:

3 20. In addition to the equalization support authorized in section  
 4 18 of this act, categorical program support shall be paid in accord-  
 5 ance with the following calculations:

6 a. The number of categorical aid units shall be determined by  
 7 adding the products obtained by multiplying the pupils in each  
 8 category by the appropriate additional cost factors. Unless the  
 9 schedule of additional cost factors is or has been revised pursuant  
 10 to section 21 of this act, the additional cost factors shall be the  
 11 following:

CATEGORICAL PROGRAMS

Special Education Classes	Additional Cost Factors
12 Educable .....	0.53
13 Trainable .....	0.95
14 Orthopedically handicapped .....	1.27
15 Neurologically impaired .....	1.06
16 Perceptually impaired .....	0.85
17 Visually handicapped .....	1.91
18 Auditorially handicapped .....	1.38
19 Communication handicapped .....	1.06
20 Emotionally disturbed .....	1.27
21 Socially maladjusted .....	0.95
22 Chronically ill .....	0.85
23 Multiply handicapped .....	1.27
Other Classes and Services	Additional Cost Factors
24 Approved private school tuition .....	1.0 plus the additional
25	cost factor of the handi-
26	cap

Special Education Classes	Additional Cost Factors
27 Supplementary and speech instruction . . . . .	0.09 based on the num-
28	ber of pupils actually
29	receiving such instruc-
30	tion in the prior school
31	year
32 Resource room . . . . .	0.65
33 Bilingual education . . . . .	0.16
34 State compensatory education . . . . .	0.11
35 Approved local vocational education . . . . .	0.53

Classes in State Facilities	Additional Cost Factors
36 Residential facility for the retarded . . . . .	1.26
37 Day training center . . . . .	2.07
38 Residential youth center . . . . .	1.06
39 Training school or correctional facility . . . . .	0.27
40 Child treatment center or psychiatric	
41 hospital . . . . .	0.16

42 b. The number of categorical aid units for home instruction shall  
 43 be determined by multiplying the number of hours of instruction  
 44 actually provided in the prior school year by 0.006.

45 c. For the purposes of this section, aid shall be paid to districts  
 46 in which the pupils reside except in the case of home, supple-  
 47 mentary or speech instruction where aid shall be paid to the dis-  
 48 trict providing the service. No tuition may be charged for such  
 49 home, supplementary or speech instruction for costs covered by  
 50 State support as provided in this section.

51 d. Categorical program support shall equal the number of units  
 52 of additional cost multiplied by the State average net current  
 53 expense budget per pupil for the prebudget year.

54 e. Each child in a State facility shall be eligible only for that  
 55 categorical aid provided by the additional cost factor for that  
 56 facility.

57 f. *The commissioner with the approval of the State board shall*  
 58 *determine an additional cost factor for \***[each of the programs and***  
 59 *services provided for]\* handicapped children \***[less than]**\* *\*be-*  
 60 *tween 3 and\* 5 years of age for the first year in which aid will be*  
 61 *distributed for such programs and services. In all subsequent years,*  
 62 *these additional cost factors shall be determined pursuant to section*  
 63 *21 of the Public School Education Act of 1975 (P. L. 1975, c. 212;*  
 64 *C. 18A:7A-1 et seq.).**

1     \*\***[6. Notwithstanding the provisions of P. L. 1975, c. 212**  
 2     **(C. 18A:7A-3 and 18A:7A-25) or rules and regulations promul-**



3 *gated pursuant thereto, any increase in expenditure in the 1981-82*  
 4 *school year required as a result of this act shall not be subject to*  
 5 *the expenditure limitations imposed pursuant to P. L. 1975, c. 212*  
 6 *(C. 18A:7A-3 and 18A:7A-25).\*]\*\**

1 \*\*6. N. J. S. 18A:46-1 is amended to read as follows:

2 18A:46-1. As used in this chapter a handicapped child shall mean  
 3 and include any child who is mentally retarded, visually handi-  
 4 capped, auditorily handicapped, communication handicapped,  
 5 neurologically or perceptually impaired, orthopedically handi-  
 6 capped, chronically ill, emotionally disturbed, socially maladjusted  
 7 **[or]**, multiply handicapped, or *pre-school handicapped*.

1 7. N. J. S. 18A:46-2 is amended to read as follows:

2 18A:46-2. The commissioner shall be responsible for the co-  
 3 ordination of the work of the county departments of child study  
 4 and the general administration of special educational services in  
 5 the public schools of this State.

6 In order to carry out the provisions of this chapter, he shall  
 7 appoint to his staff persons qualified to administer educational  
 8 services in the general field of education for handicapped children  
 9 including each of the following disability groups: (1) mentally  
 10 retarded, (2) orthopedically handicapped, (3) communication  
 11 handicapped, (4) visually handicapped, (5) neurologically or  
 12 perceptually impaired, (6) chronically ill, (7) emotionally dis-  
 13 turbed, (8) socially maladjusted, (9) **[and]** the auditorily handi-  
 14 capped, (10) *and the pre-school handicapped*, and a consultant  
 15 experienced in child psychiatry, and specialists in school psychol-  
 16 ogy, health service, school social work, learning disabilities and  
 17 special education and such other qualified personnel as he shall  
 18 deem necessary and he shall fix their compensation with the ap-  
 19 proval of the State board.

20 The commissioner shall appoint biannually an advisory council  
 21 with the approval of the State board which will consist of not less  
 22 than seven nor more than 15 members representative of public and  
 23 private professional and lay interests. The advisory council shall  
 24 advise in the promulgation of rules, regulations and the imple-  
 25 mentation of this chapter and the establishment of standards and  
 26 qualifications for the professional personnel. The council shall  
 27 serve without remuneration.

1 8. N. J. S. 18A:46-8 is amended to read as follows:

2 18A:46-8. Each board of education shall provide for the exam-  
 3 ination and classification of each child residing in the district and  
 4 identified pursuant to N. J. S. 18A:46-6. Such examination and

5 classification shall be accomplished according to procedures, pre-  
 6 scribed by the commissioner and approved by the State board,  
 7 under one of the following categories: mentally retarded, visually  
 8 handicapped, auditorily handicapped, communication handicapped,  
 9 neurologically or perceptually impaired, orthopedically handi-  
 10 capped, chronically ill, emotionally disturbed, socially maladjusted  
 11 **[or]**, multiple handicapped or *pre-school handicapped*. The exam-  
 12 ination and classification of such nonpublic school children shall be  
 13 in a location determined by the local board of education and ap-  
 14 proved by the commissioner pursuant to rules and regulations  
 15 promulgated by the State board.

16 The classification of communication handicapped shall be made  
 17 by the basic child study team and an approved speech correctionist  
 18 or speech pathologist without child study consultation. Such  
 19 children shall be reported to the basic child study team.

20 The proposed classification shall be reported to the parent or  
 21 guardian of the child and an opportunity provided, prior to imple-  
 22 mentation of the classification, for consultation by such parent or  
 23 guardian with the appropriate special educational services per-  
 24 sonnel of the district. Pursuant to rules of the State board, the  
 25 parent or guardian shall also be provided an opportunity for  
 26 further review of the classification in the Department of Education.

1 *9. (New section) For the purpose of calculating State aid for the*  
 2 *1982-83 school year the resident enrollment of each district shall*  
 3 *be adjusted by an amount equal to the number of pre-school handi-*  
 4 *capped pupils 3 through 5 years of age enrolled as of the last school*  
 5 *day of September, 1981, or the estimated number of such pupils to*  
 6 *be served in the 1982-83 school year, whichever is greater. The net*  
 7 *current expense budget of each district for the 1981-82 school year*  
 8 *shall be increased for each such pupil by an amount equal to the*  
 9 *State average net current expense budget per pupil. Such increases*  
 10 *shall not be subject to the limit contained in section 25 of P. L.*  
 11 *1975, c. 212 (C. 18A:7A-25).*

12 *The approved district transportation budget for 1981-82 shall be*  
 13 *adjusted by an amount equal to the number of pre-school handi-*  
 14 *capped pupils 3 through 5 years of age, multiplied by an estimated*  
 15 *State average per pupil transportation cost for handicapped*  
 16 *pupils.\*\**

1 *\*[5.]\* \*\*[\*7.\*]\*\* \*\*10.\*\* This act shall take effect with the com-*  
 2 *mencement of the second school year following enactment \*\*except*  
 3 *that section 9 shall take effect immediately\*\*.*

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48 trict providing the service. No tuition may be charged for such  
49 home, supplementary or speech instruction for costs covered by  
50 State support as provided in this section.

51 d. Categorical program support shall equal the number of units  
52 of additional cost multiplied by the State average net current  
53 expense budget per pupil for the prebudget year.

54 e. Each child in a State facility shall be eligible only for that  
55 categorical aid provided by the additional cost factor for that  
56 facility.

57 f. *The commissioner with the approval of the State board shall*  
58 *determine an additional cost factor for each of the programs and*  
59 *services provided for handicapped children less than 5 years of age*  
60 *for the first year in which aid will be distributed for such programs*  
61 *and services. In all subsequent years, these additional cost factors*  
62 *shall be determined pursuant to section 21 of the Public School*  
63 *Education Act of 1975 (P. L. 1975, c. 212; C. 18A:7A-1 et seq.).*

1 5. This act shall take effect with the commencement of the second  
2 school year following enactment.

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#### STATEMENT

Chapter 46 of Title 18A presently provides for the education of handicapped children between the ages of 5 and 20 years. The purpose of this bill is to require boards of education to provide services and programs for handicapped children from birth, since early treatment may substantially lessen the burden which the handicapped child may be under when he reaches normal school age. Boards of education would receive State aid for the programs and services required by this bill pursuant to section 21 of P. L. 1975, c. 212.

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A538(1980)

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ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 538**  
with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: JUNE 30, 1980

Assembly Bill No. 538 requires handicapped children under the age of five to be provided programs that will prevent their handicaps from becoming more debilitating.

Boards of education are required to serve all children between the ages of 3 and 5, while the State Department of Education, in conjunction with the Departments of Health and Human Services, is required to provide programs for children under the age of three.

**BACKGROUND:**

Educational research has demonstrated that instructing handicapped children at an early age has contributed to their later intellectual development in ways that later instructional programs have not been able to achieve.

Currently several school districts have been operating pilot projects for children under the age of 5 years. However, funding for such programs has been dependent upon grants outside State Aid. In order to provide continuous funding for programming, programs for such children must be supported by State Aid.

In order for local districts to receive both equalization and categorical aid for such children, handicapped children between the ages of 3 and 5 will be included in the resident enrollment count of the district.

It was the judgment of the Assembly Education Committee that the administrative and programming efforts would be too cumbersome for local districts since the identifiable handicapped population under the age of three is so small. Therefore, the Assembly Education Committee assigned the Commissioner of Education with the responsibility for coordinating efforts to identify and provide programs for handicapped children under the age of three. Since the Departments of Health and Human Services currently provide programs for a portion of the pre-school handicapped population, the committee felt that they should play an important role in the identification and programming of children under the age of three—although the ultimate responsibility rests with the Commissioner of Education.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 538**

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with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: DECEMBER 11, 1980

PROVISIONS:

This bill, as amended, requires each local board of education to identify and provide programs for handicapped children between the ages of 3 and 5.

For handicapped children below the age of 3, a local board would have to inform the parents of available programs. The programs themselves would be provided by the Department of Education in conjunction with the Departments of Health and Human Services.

The purpose of these programs is to prepare the children for their future education and to prevent the handicap from becoming more debilitating.

Funding for the programs from birth to 3 years of age will be by direct State appropriation to the Department of Education.

Children between the ages of 3 to 5 will be included in a school district "resident enrollment." The district would then receive equalization aid for that child as well as categorical aid pursuant to P. L. 1975, c. 212, section 20. The cost factor for the "pre-school handicapped" will be determined in the first instance by the commissioner.

FISCAL IMPLICATIONS:

This bill will not become effective until Fiscal Year 1982-83. The program in that year will be \$25,075,592.00. Of that total \$2,573,000.00 is for the 0-3 program.

For the education of the handicapped children between 3-5 the costs are as follows:

State .....		\$14,734,944.00
<i>Offset</i>		
Federal .....	(\$3,886,989.00)	
Current appropriation .....	( 1,900,000.00)	(5,786,989.00)
Net State Appropriation .....		8,947,955.00
State 0-3 .....		2,573,000.00
<i>Net State Costs</i> .....		<u>\$11,520,955.00</u>

Local districts .....	\$7,767,648.00
Offset-federal .....	(4,635,986.00)
<i>Net Local Costs</i> .....	<u>\$3,131,662.00</u>

**COMMITTEE AMENDMENTS:**

The major committee amendment (new section 9) will allow for the payment of State aid to local districts in Fiscal Year 1982-83, the first year in which these programs will be mandatory. Since State aid is normally paid retroactively, virtually the entire cost of initiating the program for 3-5 year olds would be borne by local school districts. Assuming all Federal offset funds are available, the cost to local districts would be over \$12,000,000.00 in 1982-83 without this amendment.

In addition, the committee has amended chapter 46 of Title 18A to provide for a new category, the "pre-school handicapped." This is consistent with current policy of seeking to identify programs rather than attaching labels to children (new sections 6, 7, 8).

The amendments to section 3 define the nature of the 0-3 program, emphasize the need for consultation between the Departments of Education, Health and Human Services, and provide for a State appropriation for these programs. This is necessary since these children will not be included in the "resident enrollment" count.

The amendments to sections 4 and 5 are purely technical, and bring this bill into conformity with current law, specifically P. L. 1980, c. 105, section 2.

**BACKGROUND:**

Educational research has clearly indicated that early intervention can stimulate the development of a handicapped child and facilitate their learning ability in later life. Educational programs for infants generally involve assessment and therapy for the child and training and counselling for the family. Children between ages 3 and 5 would receive more direct educational programs depending on the needs and abilities of the child, as well as parent training and counselling. The involvement of the parents is a critical component of all such programs.

In the judgment of the Senate Education Committee, education for the pre-school handicapped is a program of major significance for the child and for society. By identifying and assisting these youngsters at an early age, the effects of the handicap can be minimized or even remedied, making later learning more effective, and allowing the individual to lead a more productive life.