

18A:62-44

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2002 **CHAPTER:** 110
NJSA: 18A:62-44 (Disabled students-substitution of courses)
BILL NO: S106 (Substituted for A2942)

SPONSOR(S): Bennett and others

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Education

SENATE: Education

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** November 18, 2002

SENATE: March 25, 2002

DATE OF APPROVAL: December 11, 2002

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (1st reprint enacted)
(Amendments during passage denoted by superscript numbers)

S106

[SPONSORS STATEMENT](#): (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

A2942

[SPONSORS STATEMENT](#): (Begins on page 2 of original bill) [Yes](#)
Bill and Sponsors Statement identical to S106

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)
Identical to Assembly Statement to S106

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

STATUTE REFERRED TO IN STATEMENTS: [Florida Statute 1007.265](#)

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

P.L. 2002, CHAPTER 110, *approved December 11, 2002*
Senate, No. 106 (*First Reprint*)

1 **AN ACT** concerning disabled students at institutions of higher
2 education and supplementing chapter 62 of Title 18A of the New
3 Jersey Statutes.

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

7
8 1. a. Any student attending a public institution of higher education
9 in the State or an independent institution of higher education which
10 receives direct State aid or a degree-granting post secondary
11 institution whose students are eligible for State tuition grants and
12 scholarships, who is hearing impaired, visually impaired, or learning
13 disabled shall be eligible for reasonable substitution of specific courses
14 required for the completion of degree requirements, provided that:

15 (1) Documentation is provided that the student's request for
16 substitution of a specific course is related to the disability;

17 (2) The substitution of a specific course does not constitute a
18 fundamental alteration in the nature of the degree requirements and the
19 specific course is not required for professional certification; and

20 (3) The specific courses are not offered by a public or independent
21 institution of higher education as requirements for a health professions
22 degree.

23 b. The Commission on Higher Education ¹[shall] may¹ promulgate
24 rules and regulations necessary to carry out the provisions of this act,
25 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
26 (C.52:14B-1 et seq.) ¹, provided that the rules and regulations are not
27 inconsistent with federal rules and regulations¹.

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29 2. This act shall take effect immediately.

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34 Provides that disabled students at institutions of higher education are
35 eligible for reasonable substitution of specific courses required for the
36 completion of degree requirements.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SED committee amendments adopted March 14, 2002.

SENATE, No. 106

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Senator JOHN O. BENNETT

District 12 (Mercer and Monmouth)

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

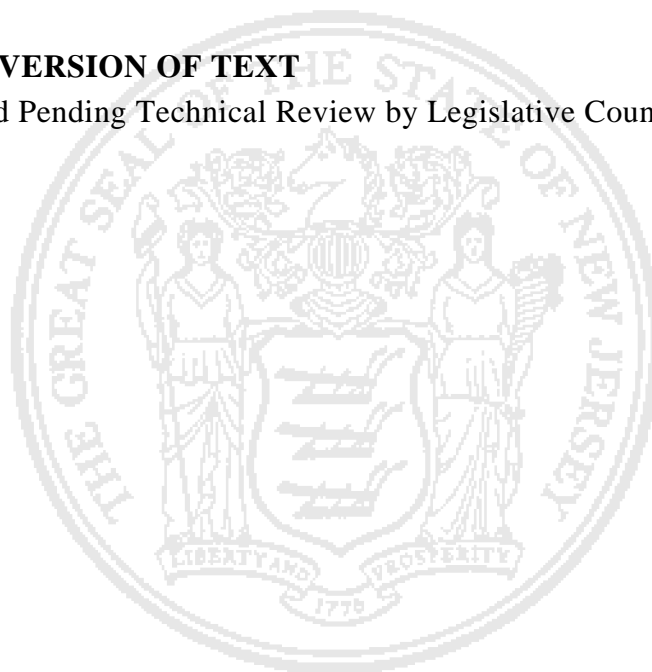
Senator Allen

SYNOPSIS

Provides that disabled students at institutions of higher education are eligible for reasonable substitution of specific courses required for the completion of degree requirements.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning disabled students at institutions of higher
2 education and supplementing chapter 62 of Title 18A of the New
3 Jersey Statutes.

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

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8 1. a. Any student attending a public institution of higher education
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11 institution whose students are eligible for State tuition grants and
12 scholarships, who is hearing impaired, visually impaired, or learning
13 disabled shall be eligible for reasonable substitution of specific courses
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16 substitution of a specific course is related to the disability;

17 (2) The substitution of a specific course does not constitute a
18 fundamental alteration in the nature of the degree requirements and the
19 specific course is not required for professional certification; and

20 (3) The specific courses are not offered by a public or independent
21 institution of higher education as requirements for a health professions
22 degree.

23 b. The Commission on Higher Education shall promulgate rules
24 and regulations necessary to carry out the provisions of this act,
25 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
26 (C.52:14B-1 et seq.).

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28 2. This act shall take effect immediately.

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STATEMENT

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This bill provides that any student attending a public institution of higher education in New Jersey or an independent institution of higher education which receives direct State aid or a degree-granting post secondary institution whose students are eligible for State tuition grants and scholarships, who is hearing impaired, visually impaired, or learning disabled will be eligible for reasonable substitution of specific courses required for the completion of degree requirements. In order to be eligible for the substitution, however, three conditions must be met. First, documentation must be provided that the student's request for substitution of a specific course is related to the disability. In addition, the substitution of a specific course may not constitute a fundamental alteration in the nature of the degree requirements and the specific course may not be required for professional certification. Further, the specific course may not be offered by a public or

S106 BENNETT, CAFIERO

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- 1 independent institution of higher education as a requirement for a
- 2 health professions degree.
- 3 A similar program is in place in the State of Florida.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 106

STATE OF NEW JERSEY

DATED: OCTOBER 24, 2002

The Assembly Education Committee favorably reports Senate Bill No. 106 (1R).

This bill provides that any student attending a public institution of higher education in New Jersey or an independent institution of higher education which receives direct State aid or a degree-granting post secondary institution whose students are eligible for State tuition grants and scholarships, who is hearing impaired, visually impaired, or learning disabled will be eligible for reasonable substitution of specific courses required for the completion of degree requirements. In order to be eligible for the substitution, however, the following conditions must be met: documentation must be provided that the student's request for substitution of a specific course is related to the disability; the substitution of a specific course may not constitute a fundamental alteration in the nature of the degree requirements and the specific course is not required for professional certification; and the specific course is not offered by a public or independent institution of higher education as a requirement for a health professions degree.

A similar program is in place in the State of Florida

As reported by committee, this bill is identical to Assembly Bill No. 2942.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 106

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 14, 2002

The Senate Education Committee reports favorably Senate Bill No. 106 with committee amendments.

As amended, this bill provides that any student attending a public institution of higher education in New Jersey or an independent institution of higher education which receives direct State aid or a degree-granting post secondary institution whose students are eligible for State tuition grants and scholarships, who is hearing impaired, visually impaired, or learning disabled will be eligible for reasonable substitution of specific courses required for the completion of degree requirements. In order to be eligible for the substitution, however, three conditions must be met. First, documentation must be provided that the student's request for substitution of a specific course is related to the disability. In addition, the substitution of a specific course may not constitute a fundamental alteration in the nature of the degree requirements and the specific course may not be required for professional certification. Further, the specific course may not be offered by a public or independent institution of higher education as a requirement for a health professions degree.

A similar program is in place in the State of Florida.

The committee amended the bill to provide that the Commission on Higher Education is permitted, rather than required, to promulgate rules and regulation and to specify that those rules and regulations may not be inconsistent with federal rules and regulations.

This bill was pre-filed for introduction in the 2002-2003 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY, No. 2942

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED OCTOBER 21, 2002

Sponsored by:

**Assemblywoman LINDA R. GREENSTEIN
District 14 (Mercer and Middlesex)**

Co-Sponsored by:

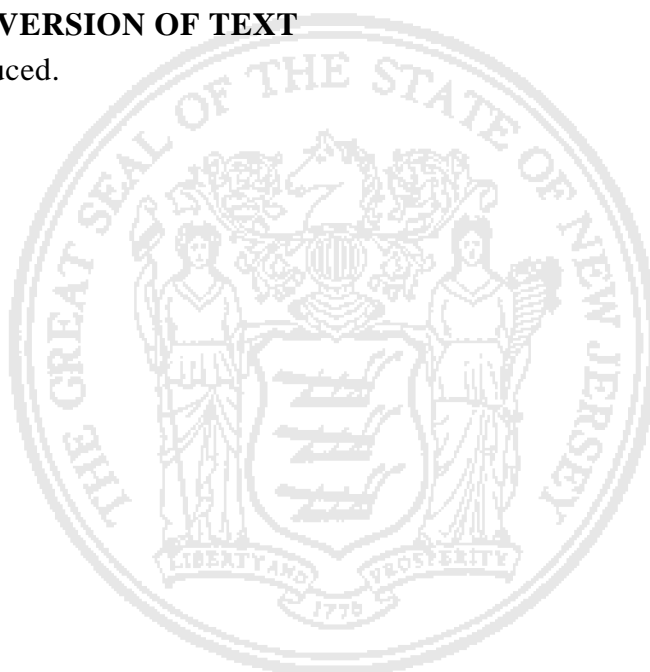
**Assemblywoman Heck, Assemblymen Chivukula, Fisher, S.Kean and
Assemblywoman Previte**

SYNOPSIS

Provides that disabled students at institutions of higher education are eligible for reasonable substitution of specific courses required for the completion of degree requirements.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/19/2002)

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22 degree.

23 b. The Commission on Higher Education may promulgate rules and
24 regulations necessary to carry out the provisions of this act, pursuant
25 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
26 et seq.), provided that the rules and regulations are not inconsistent
27 with federal rules and regulations.

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29 2. This act shall take effect immediately.

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32 STATEMENT

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34 This bill provides that any student attending a public institution of
35 higher education in New Jersey or an independent institution of higher
36 education which receives direct State aid or a degree-granting post
37 secondary institution whose students are eligible for State tuition
38 grants and scholarships, who is hearing impaired, visually impaired, or
39 learning disabled will be eligible for reasonable substitution of specific
40 courses required for the completion of degree requirements. In order
41 to be eligible for the substitution, however, three conditions must be
42 met. First, documentation must be provided that the student's request
43 for substitution of a specific course is related to the disability. In
44 addition, the substitution of a specific course may not constitute a
45 fundamental alteration in the nature of the degree requirements and the
46 specific course may not be required for professional certification.

A2942 GREENSTEIN

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- 1 Further, the specific course may not be offered by a public or
- 2 independent institution of higher education as a requirement for a
- 3 health professions degree.
- 4 A similar program is in place in the State of Florida.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2942

STATE OF NEW JERSEY

DATED: OCTOBER 24, 2002

The Assembly Education Committee favorably reports Assembly Bill No. 2942.

This bill provides that any student attending a public institution of higher education in New Jersey or an independent institution of higher education which receives direct State aid or a degree-granting post secondary institution whose students are eligible for State tuition grants and scholarships, who is hearing impaired, visually impaired, or learning disabled will be eligible for reasonable substitution of specific courses required for the completion of degree requirements. In order to be eligible for the substitution, however, the following conditions must be met: documentation must be provided that the student's request for substitution of a specific course is related to the disability; the substitution of a specific course may not constitute a fundamental alteration in the nature of the degree requirements and the specific course is not required for professional certification; and the specific course is not offered by a public or independent institution of higher education as a requirement for a health professions degree.

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As reported by committee, this bill is identical to Senate Bill No. 106 (1R).