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LAW/RWH 12/2/08

P.L. 2008, CHAPTER 70, *approved September 2, 2008*

Assembly, No. 1671 (*Third Reprint*)

1 AN ACT concerning the classroom placement of certain students and
2 supplementing chapter 36 of Title 18A of the New Jersey
3 Statutes.

4

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

7

8 1. a. ²(1)² A parent or guardian of twins or higher order
9 multiples enrolled in the same ²K through 8² grade level at the same
10 public school may request that the children be placed in the same
11 classroom or in separate classrooms. The school principal may
12 recommend a classroom placement to the parent or guardian and
13 may provide the parent or guardian with professional education
14 advice that will assist the parent or guardian in making the best
15 decision for the children's education. The parent or guardian shall
16 request the classroom placement ³in writing³ no later than 14 days
17 ²[after] ³[before²] after³ the first day of each school year ²[or 14
18 days after the first day of attendance if the students enroll in the
19 school after the school year commences]². The school principal
20 shall provide the classroom placement requested by the parent or
21 guardian and the students shall remain in this initial placement for
22 the duration of the school year unless the board of education makes
23 a different classroom placement determination pursuant to the
24 provisions of subsection b. of this section.

25 ²In the event that the twins or higher order multiples enroll in the
26 school after the school year commences, the parent or guardian
27 shall request the classroom placement ³in writing³ no later than
28 ³[at the time of enrollment in the school] 14 days after the first day
29 of attendance³. The school principal shall provide the classroom
30 placement requested by the parent or guardian if space is available
31 in accordance with written local district class size requirements and
32 the students shall remain in this initial placement for the duration of
33 the school year unless the board of education makes a different
34 classroom placement determination pursuant to the provisions of
35 subsection b. of this section.

36 (2) A parent or guardian of twins or higher order multiples
37 enrolled in the same 9 through 12 grade level at the same public

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 February 28, 2008.

²Senate SED committee amendments adopted June 5, 2008.

³Senate floor amendments adopted June 12, 2008.

1 school may request that the children be placed in the same
2 classroom or in separate classrooms. The placement decision shall
3 be made at the discretion of the school principal in the best interests
4 of the school and its students. The parent or guardian may appeal
5 the school principal's decision to the board of education, which
6 shall make a final determination on the placement.²

7 b. A school principal may, after consultation with the students'
8 'parent or guardian and'¹ teachers at the end of the initial grading
9 period, request that the board of education make a different
10 classroom placement determination for the twins or higher order
11 multiples if the initial classroom placement is determined to be
12 disruptive to any of the students in the class or classes in which the
13 students are enrolled 'or if the principal concludes that the initial
14 placement does not sufficiently support the students' academic or
15 social development'¹. Upon receiving the request, the board of
16 education shall make a final classroom placement determination.

17 c. As used in this section, "higher order multiples" means
18 triplets, quadruplets, quintuplets, or larger group of siblings born at
19 one birth.

20 d. The provisions of this section shall not apply to a school
21 district which maintains only a single classroom for the grade level
22 in which the twins or higher order multiples are enrolled.

23 'e. The parent or guardian shall be responsible for any
24 additional pupil transportation costs that are incurred by the school
25 district as a result of providing the requested classroom placement,
26 unless the school district is in agreement with the placement.'¹

27 ²f. In the event that one of the twins or higher order multiples
28 receives special education services, the requested classroom
29 placement shall not be accommodated if the placement is
30 inconsistent with a student's Individualized Education Plan.'²

31

32 2. This act shall take effect immediately and shall first apply to
33 the 2008-2009 school year.

34

35

36

37

38 _____
39 Permits parent of twins or higher order multiples enrolled in
40 public school to select shared or separate classroom placement of
their children.

ASSEMBLY, No. 1671

STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Sussex, Hunterdon and Morris)

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Co-Sponsored by:

Assemblyman Diegnan

SYNOPSIS

Permits parent of twins or higher order multiples enrolled in public school to select shared or separate classroom placement of their children.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the classroom placement of certain students and
2 supplementing chapter 36 of Title 18A of the New Jersey
3 Statutes.

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

7
8 1. a. A parent or guardian of twins or higher order multiples
9 enrolled in the same grade level at the same public school may
10 request that the children be placed in the same classroom or in
11 separate classrooms. The school principal may recommend a
12 classroom placement to the parent or guardian and may provide the
13 parent or guardian with professional education advice that will
14 assist the parent or guardian in making the best decision for the
15 children's education. The parent or guardian shall request the
16 classroom placement no later than 14 days after the first day of each
17 school year or 14 days after the first day of attendance if the
18 students enroll in the school after the school year commences. The
19 school principal shall provide the classroom placement requested by
20 the parent or guardian and the students shall remain in this initial
21 placement for the duration of the school year unless the board of
22 education makes a different classroom placement determination
23 pursuant to the provisions of subsection b. of this section.

24 b. A school principal may, after consultation with the students'
25 teachers at the end of the initial grading period, request that the
26 board of education make a different classroom placement
27 determination for the twins or higher order multiples if the initial
28 classroom placement is determined to be disruptive to any of the
29 students in the class or classes in which the students are enrolled.
30 Upon receiving the request, the board of education shall make a
31 final classroom placement determination.

32 c. As used in this section, "higher order multiples" means
33 triplets, quadruplets, quintuplets, or larger group of siblings born at
34 one birth.

35 d. The provisions of this section shall not apply to a school
36 district which maintains only a single classroom for the grade level
37 in which the twins or higher order multiples are enrolled.

38
39 2. This act shall take effect immediately and shall first apply to
40 the 2006-2007 school year.

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43 STATEMENT

44
45 This bill allows the parent or guardian of twins or higher order
46 multiples (such as triplets or quadruplets) enrolled in the same
47 grade at the same public school to request that the children be

A1671 MCHOSE, GREENWALD

1 placed in either the same classroom or in separate classrooms. To
2 assist the parent or guardian in making this decision, the school
3 principal may offer a placement recommendation and may offer
4 professional advice to the parent or guardian. The parent's or
5 guardian's placement request, provided that it was submitted within
6 the first 14 days of the students' enrollment, must be granted by the
7 school. However, the school principal may request, after the initial
8 grading period is completed and after consulting with the students'
9 teachers, that the board of education make a different classroom
10 placement determination for the twins or higher order multiples if
11 the initial classroom placement is found to be disruptive to any of
12 the students in the class or classes in which the twins or higher
13 order multiples are enrolled. Upon receiving such a request, the
14 board of education will make the final classroom placement
15 determination. This bill will not apply to a school district which
16 maintains only a single classroom for the grade level in which the
17 twins or higher order multiples are enrolled.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1671

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 2008

The Assembly Education Committee reports favorably Assembly Bill No. 1671 with committee amendments.

This bill, as amended, allows the parent or guardian of twins or higher order multiples (such as triplets or quadruplets) enrolled in the same grade at the same public school to request that the children be placed in either the same classroom or in separate classrooms. To assist the parent or guardian in making this decision, the school principal may offer a placement recommendation and may offer professional advice to the parent or guardian. The parent's or guardian's placement request, provided that it was submitted within the first 14 days of the students' enrollment, must be granted by the school. However, the school principal may request, after the initial grading period is completed and after consulting with the students' parent or guardian and teachers, that the board of education make a different classroom placement determination for the twins or higher order multiples if the initial classroom placement is found to be disruptive to any of the students in the class or classes in which the twins or higher order multiples are enrolled or if the principal determines that the initial placement does not sufficiently support the students' academic or social development. Upon receiving such a request, the board of education will make the final classroom placement determination. In the event that the parent's or guardian's placement request causes the district to incur additional transportation costs, then the parent or guardian will be responsible for the additional cost unless the school district agrees with the placement decision. This bill will not apply to a school district which maintains only a single classroom for the grade level in which the twins or higher order multiples are enrolled.

The committee amended the bill to ensure that a principal consults the students' parent or guardian prior to requesting that the board of education modify the twins' or higher order multiples' initial placement and that such a recommendation considers the students' academic and social development. Additionally, the amendments provide that the parent or guardian will be responsible for any additional transportation cost incurred as a result of the desired

placement unless the school district agrees with the placement decision.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1671

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 5, 2008

The Senate Education Committee reports favorably Assembly Bill No. 1671 1R with committee amendments.

As amended, this bill allows the parent or guardian of twins or higher order multiples (such as triplets or quadruplets) enrolled in the same K through 8 grade at the same public school to request that the children be placed in either the same classroom or in separate classrooms. To assist the parent or guardian in making this decision, the school principal may offer a placement recommendation and may offer professional advice to the parent or guardian. The parent's or guardian's placement request, provided that it was submitted no later than 14 days prior to the first day of the school year, must be granted by the school. However, the school principal may request, after the initial grading period is completed and after consulting with the students' parent or guardian and teachers, that the board of education make a different classroom placement determination for the twins or higher order multiples if the initial classroom placement is found to be disruptive to any of the students in the class or classes in which the twins or higher order multiples are enrolled or if the principal concludes that the initial placement does not sufficiently support the students' academic or social development. Upon receiving such a request, the board of education will make the final classroom placement determination. In the event that twins or higher order multiples enroll in the same K through 8 grade at the same public school after the start of the school year, the parent or guardian may request a specific placement at the time of the children's enrollment. In this case, the school principal must provide the classroom placement requested by the parent or guardian if space is available in accordance with written local district class size requirements. The students will remain in this initial placement for the duration of the school year unless the board of education makes a different classroom placement determination pursuant to the provisions of the bill.

Under the bill, a parent or guardian of twins or higher order multiples enrolled in the same 9 through 12 grade level at the same

public school may request that the children be placed in the same classroom or in separate classrooms. However, the placement decision will be made at the discretion of the school principal and will be rendered in the best interests of the school and its students. The parent or guardian may appeal the school principal's decision to the board of education, which will make a final determination on the placement.

This bill will not apply to a school district which maintains only a single classroom for the grade level in which the twins or higher order multiples are enrolled. The bill will not apply to students who receive special education services if the requested classroom placement is inconsistent with the student's Individualized Education Plan.

The bill provides that the parent or guardian will be responsible for any additional pupil transportation costs that are incurred by the school district as a result of providing the requested classroom placement, unless the school district is in agreement with the placement.

The committee amended the bill to provide that the classroom placement requests for grades K-8 students must be made at least 14 days prior to the start of the school year or at the time of enrollment for students who enroll in the school after the school year commences. The committee also amended the bill to provide different processes for the consideration of classroom placement requests for students in grades K through 8 as opposed to high school students. Finally, the committee amended the bill to ensure that classroom placements are not inconsistent with a student's Individualized Education Plan.

As amended and reported by the committee, this bill is identical to the Senate Bill No. 1544 with Senate committee amendments, which also was reported by the committee on this same date.

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 1671

with Senate Floor Amendments
(Proposed By Senator T. KEAN)

ADOPTED: JUNE 12, 2008

These Senate amendments require that: 1) a classroom placement request made by the parent or guardian of twins or higher order multiples enrolled in grades K through 8 be made in writing; and 2) the request must be made no later than 14 days after the start of the school year, or in the case of a student who enters the school after the school year commences, the request must be made no later than 14 days after the first day of attendance.

SENATE, No. 1544

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED MARCH 17, 2008

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Essex, Morris, Somerset and Union)

Senator STEVEN V. OROHO

District 24 (Sussex, Hunterdon and Morris)

SYNOPSIS

Permits parent of twins or higher order multiples enrolled in public school to select shared or separate classroom placement of their children.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/8/2008)

1 AN ACT concerning the classroom placement of certain students and
2 supplementing chapter 36 of Title 18A of the New Jersey
3 Statutes.

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

7
8 1. a. A parent or guardian of twins or higher order multiples
9 enrolled in the same grade level at the same public school may
10 request that the children be placed in the same classroom or in
11 separate classrooms. The school principal may recommend a
12 classroom placement to the parent or guardian and may provide the
13 parent or guardian with professional education advice that will
14 assist the parent or guardian in making the best decision for the
15 children's education. The parent or guardian shall request the
16 classroom placement no later than 14 days after the first day of each
17 school year or 14 days after the first day of attendance if the
18 students enroll in the school after the school year commences. The
19 school principal shall provide the classroom placement requested by
20 the parent or guardian and the students shall remain in this initial
21 placement for the duration of the school year unless the board of
22 education makes a different classroom placement determination
23 pursuant to the provisions of subsection b. of this section.

24 b. A school principal may, after consultation with the students'
25 parent or guardian and teachers at the end of the initial grading
26 period, request that the board of education make a different
27 classroom placement determination for the twins or higher order
28 multiples if the initial classroom placement is determined to be
29 disruptive to any of the students in the class or classes in which the
30 students are enrolled or if the principal concludes that the initial
31 placement does not sufficiently support the students' academic or
32 social development. Upon receiving the request, the board of
33 education shall make a final classroom placement determination.

34 c. As used in this section, "higher order multiples" means
35 triplets, quadruplets, quintuplets, or larger group of siblings born at
36 one birth.

37 d. The provisions of this section shall not apply to a school
38 district which maintains only a single classroom for the grade level
39 in which the twins or higher order multiples are enrolled.

40 e. The parent or guardian shall be responsible for any additional
41 pupil transportation costs that are incurred by the school district as a
42 result of providing the requested classroom placement, unless the
43 school district is in agreement with the placement.

1 2. This act shall take effect immediately and shall first apply to
2 the 2008-2009 school year.

3

4

5

STATEMENT

6

7 This bill allows the parent or guardian of twins or higher order
8 multiples (such as triplets or quadruplets) enrolled in the same
9 grade at the same public school to request that the children be
10 placed in either the same classroom or in separate classrooms. To
11 assist the parent or guardian in making this decision, the school
12 principal may offer a placement recommendation and may offer
13 professional advice to the parent or guardian. The parent's or
14 guardian's placement request, provided that it was submitted within
15 the first 14 days of the students' enrollment, must be granted by the
16 school. However, the school principal may request, after the initial
17 grading period is completed and after consulting with the students'
18 parent or guardian and teachers, that the board of education make a
19 different classroom placement determination for the twins or higher
20 order multiples if the initial classroom placement is found to be
21 disruptive to any of the students in the class or classes in which the
22 twins or higher order multiples are enrolled or if the principal
23 determines that the initial placement does not sufficiently support
24 the students' academic or social development. Upon receiving such
25 a request, the board of education will make the final classroom
26 placement determination. In the event that the parent's or
27 guardian's placement request causes the district to incur additional
28 transportation costs, then the parent or guardian will be responsible
29 for the additional cost unless the school district agrees with the
30 placement decision. This bill will not apply to a school district
31 which maintains only a single classroom for the grade level in
32 which the twins or higher order multiples are enrolled.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1544

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 5, 2008

The Senate Education Committee favorably reports Senate Bill No. 1544 with committee amendments.

As amended, this bill allows the parent or guardian of twins or higher order multiples (such as triplets or quadruplets) enrolled in the same K through 8 grade at the same public school to request that the children be placed in either the same classroom or in separate classrooms. To assist the parent or guardian in making this decision, the school principal may offer a placement recommendation and may offer professional advice to the parent or guardian. The parent's or guardian's placement request, provided that it was submitted no later than 14 days prior to the first day of the school year, must be granted by the school. However, the school principal may request, after the initial grading period is completed and after consulting with the students' parent or guardian and teachers, that the board of education make a different classroom placement determination for the twins or higher order multiples if the initial classroom placement is found to be disruptive to any of the students in the class or classes in which the twins or higher order multiples are enrolled or if the principal concludes that the initial placement does not sufficiently support the students' academic or social development. Upon receiving such a request, the board of education will make the final classroom placement determination. In the event that twins or higher order multiples enroll in the same K through 8 grade at the same public school after the start of the school year, the parent or guardian may request a specific placement at the time of the children's enrollment. In this case, the school principal must provide the classroom placement requested by the parent or guardian if space is available in accordance with written local district class size requirements. The students will remain in this initial placement for the duration of the school year unless the board of education makes a different classroom placement determination pursuant to the provisions of the bill.

Under the bill, a parent or guardian of twins or higher order multiples enrolled in the same 9 through 12 grade level at the same public school may request that the children be placed in the same classroom or in separate classrooms. However, the placement decision

will be made at the discretion of the school principal and will be rendered in the best interests of the school and its students. The parent or guardian may appeal the school principal's decision to the board of education, which will make a final determination on the placement.

This bill will not apply to a school district which maintains only a single classroom for the grade level in which the twins or higher order multiples are enrolled. The bill will not apply to students who receive special education services if the requested classroom placement is inconsistent with the student's Individualized Education Plan.

The bill provides that the parent or guardian will be responsible for any additional pupil transportation costs that are incurred by the school district as a result of providing the requested classroom placement, unless the school district is in agreement with the placement.

The committee amended the bill to provide that the classroom placement requests for grades K-8 students must be made at least 14 days prior to the start of the school year or at the time of enrollment for students who enroll in the school after the school year commences. The committee also amended the bill to provide different processes for the consideration of classroom placement requests for students in grades K through 8 as opposed to high school students. Finally, the committee amended the bill to ensure that classroom placements are not inconsistent with a student's Individualized Education Plan.

As amended and reported by the committee, this bill is identical to Assembly Bill No. 1671 (1R) with Senate committee amendments, which also was reported by the committee on this same date.

STATEMENT TO
[First Reprint]
SENATE, No. 1544

with Senate Floor Amendments
(Proposed By Senator T. KEAN)

ADOPTED: JUNE 12, 2008

These Senate amendments require that: 1) a classroom placement request made by the parent or guardian of twins or higher order multiples enrolled in grades K through 8 be made in writing; and 2) the request must be made no later than 14 days after the start of the school year, or in the case of a student who enters the school after the school year commences, the request must be made no later than 14 days after the first day of attendance.