

R.S. 18A: 46-14

July 2, 1973

LEGISLATIVE NOTES ON R.S. 18A:46-14
(Enumeration of facilities and programs)

- L. 1954, Chapter 178 - A248 Sections 5, 7
February 19 - Introduced by Beadleston.
May 3 - Passed in Assembly.
June 17 - Passed in Senate, amended.
June 21 - Senate amendment passed in Assembly.
July 20 - Approved, chapter 178.
Statement (copy enclosed).
Amended (copy enclosed).

L. 1954, c. 179 should have been included in this history.
A 249 - (enclosed in copy 4) RUC 6/19/73

Amended by:

- L. 1966, Chapter 29 - A21 Sections 5, 13
January 18 - Introduced by Beadleston & 7 others.
April 25 - Passed Assembly under emergency
resolution, amended.
April 27 - Passed in Senate.
April 27 - Approved, chapter 29.
No statement.
Amended (too long to photostat - may be seen at the
State Library). Attached is the fiscal note to
this bill. See the fiscal note for a detailed
explanation of the changes this act will make.

- L. 1968, Chapter 430 - S534
March 14 - Introduced by Woodcock & others.
November 25 - Passed in Senate, amended.
November 25 - Passed in Assembly under emergency
resolution.
February 11, 1969 - Approved, Chapter 430.
Amended during passage (copy enclosed).
No statement.

- L. 1970, Chapter 256 - S434
January 20 - Introduced by Beadleston, Woodcock & Guiliano.
February 16 - Passed in Senate, amended.
April 27 - Passed in Assembly, amended.
April 30 - Assembly amendment passed in Senate.
November 2 - Approved, chapter 256.
Statement (copy enclosed).
Amended during passage (copy enclosed).

1971 C 270

see pg 2 of
CHECKLIST

Laws 1971, Chapter 270 - S2135
March 15 - Introduced by Beadleston, Woodcock & Bateman.
March 25 - Passed in Senate.
May 10 - Passed in Assembly.
July 27 - Approved, Chapter 270.
Not amended during passage.
No statement.
Copy enclosed of fiscal note and Governor's statement
on signing.

Hearings and reports:

974.90 N.J. Commission to Study the Problems and Needs of
C536 Mentally Deficient Persons.
1954. Mental deficiency in New Jersey.

974.90 N.J. Department of Institutions and Agencies.
C536 Summary of proceedings, New Jersey Conference,
1956 "an exploration of public school approaches to meet
the problem of emotionally disturbed children."

J371.25 N.J. Parents Group for Retarded Children.
P22 For every child a fair chance.

974.90 N.J. Department of Education. Commissioner's
E24 Commission on the Education of the Handicapped.
1964i The education of handicapped children in
New Jersey, 1954-1964.

974.90 New Jersey. Department of Education.
E24 Enrollment projections 1968-69 to 1987-88.
1968

Items not yet searched:

- 1) Newspaper clippings (N.J.--Handicapped).
- 2) Annual reports of the Department of Education
- 3) Publications of the New Jersey Education Association.
- 4) Governor's counsel files.

JH/PC
Encl.

SENATE, No. 2135

STATE OF NEW JERSEY

INTRODUCED MARCH 15, 1971

By Senators BEADLESTON, WOODCOCK and BATEMAN

Referred to Committee on Education

AN ACT concerning educational facilities and programs for handicapped children and amending N. J. S. 18A:46-14.

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

1 1. N. J. S. 18A:46-14 is amended to read as follows:

2 18A:46-14. The facilities and programs of education required
3 under this chapter shall be provided by one or more of the
4 following:

5 a. A special class or classes in the district, including a class or
6 classes in hospitals, convalescent homes, or other institutions;

7 b. A special class in the public schools of another district in this
8 State or an adjoining or nearby State;

9 c. Joint facilities including a class or classes in hospitals, con-
10 valescent homes or other institutions to be provided by agreement
11 between one or more school districts;

12 d. A jointure commission program;

13 e. A State of New Jersey operated program;

14 f. Instruction at school supplementary to the other programs in
15 the school, whenever, in the judgment of the board of education
16 with the consent of the commissioner, the handicapped pupil will
17 be best served thereby;

18 g. Sending children capable of benefiting from a day school in-
19 structional program to privately operated nonprofit day classes, in
20 New Jersey or an adjoining State or a nearby State and within 400
21 miles of Trenton *or, with the approval of the commissioner to meet*
22 *particular circumstances, at a greater distance from Trenton, the*
23 *services of which are nonsectarian whenever in the judgment of*
24 *the board of education with the consent of the commissioner it is*
25 *impractical to provide services pursuant to subsections a, b, c, d,*
26 *e, or f otherwise;*

27 h. Individual instruction at home or in school whenever in the
28 judgment of the board of education with the consent of the com-
29 missioner it is impracticable to provide a suitable special education
30 program for a child pursuant to subsections a, b, c, d, e, f, or g,
31 otherwise.

32 Whenever any child shall be confined to a hospital, convalescent
33 home, or other institution in New Jersey or an adjoining or nearby
34 State and is enrolled in an education program approved under this
35 article, the board of education of the district in which the child is
36 domiciled shall pay the tuition of said child in the special education
37 program.

38 The board of education may also furnish: (a) the facilities or
39 programs provided in this article to any person over the age of 20
40 who does not hold a diploma of a high school approved in this State
41 or in any other State in the United States, (b) suitable approved
42 facilities and programs for children under the age of 5.

1 2. This act shall take effect immediately.

FISCAL NOTE TO
SENATE, No. 2135

STATE OF NEW JERSEY

DATED: APRIL 29, 1971

Senate Bill No. 2135 provides for sending handicapped children to a privately operated nonprofit school, located a distance greater than 400 miles from Trenton, to meet particular circumstances, providing such sending has the approval of the Commissioner of Education.

It is pointed out by the Department of Education that since State aid is not paid on transportation beyond the State boundaries, there could be no increase in State transportation costs by the enactment of this legislation. Any additional costs that might result would therefore be borne by local school districts. Such costs cannot be estimated as there is no way of estimating the number of children who might be sent beyond the present mileage limitation.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

FROM THE OFFICE OF THE GOVERNOR

JULY 27, 1971

FOR RELEASE:
IMMEDIATE

S-2135

Governor William T. Cahill today signed into law a package of four bills to provide greater educational and employment opportunities for the severely handicapped.

In signing the bills, Cahill said, "through these bills the State will help the handicapped to lead a more productive and satisfying life. By providing educational services that meet their special needs and providing financial assistance for workshop programs the handicapped will have greater opportunity to maintain their independence and dignity."

Under Assembly bill 2055, sponsored by Assemblyman John F. Brown (R., Ocean), \$625,000 is appropriated for existing shelter workshop employment programs. There are approximately twenty-five workshops in the State which provide professional services and jobs for the severely handicapped who are not eligible for vocational rehabilitation services.

Senate bill 2184, sponsored by Senator Fairleigh S. Dickinson (R., Bergen), permits the establishment of county special service school districts when the Board of Freeholders determines that such a need exists. Cahill noted that this type of district would insure a high quality of special education that is not available in some local districts and that a larger number of students could receive these services. He added that over the years the limitations of many small school districts and the shortage of trained personnel has resulted in a significant number of handicapped children, particularly those most seriously afflicted, being placed in private schools.

The State Board of Education and the Commissioner of Education would have responsibility to regulate and control these special school districts. The Governor added that this new law is a "significant step forward in providing improved educational programs for handicapped children." The Governor emphasized, however, that this legislation is not a substitute for existing

educational facilities for the handicapped but is supplemental in those areas where there is need.

Senate bill 181, sponsored by Senator Michael A. Giuliano (R., Essex), requires all State, county and municipal building plans and specifications to include facilities to accommodate the physically handicapped. The bill is similar to another signed by Cahill on March 3rd dealing with the construction of school buildings which provides that ramps, elevators in multi-storied buildings, drinking fountains and public telephones, as well as other facilities be of appropriate height and dimensions to accommodate those in wheel chairs. The Governor noted that the cost involved in providing these facilities is minimal and that it will enable handicapped citizens to have access to public buildings in order to conduct normal business and secure employment in those buildings through the elimination of architectural barriers.

Cahill also signed into law Senate bill 2135, sponsored by Senator Alfred N. Beadleston (R., Monmouth), which permits a school district to send a handicapped child outside the existing 400 mile radius of Trenton to treatment centers. The new law overcomes the previous arbitrary distance limitations which in some cases prevented a handicapped child from taking advantage of the best educational and treatment programs available.

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