

18A:46-6 and 18A:46-8

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:46-6 and 18A:46-8

(Handicapped pupils in non-public schools-identify)

LAWS OF: 1984

CHAPTER: 123

Bill No: S525

Sponsor(s): Van Wagner

Date Introduced: Pre-filed

Committee: Assembly: Education

Senate: Education

Amended during passage: No

Date of Passage: Assembly: June 28, 1984

Senate: March 1, 1984

Date of Approval: August 8, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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SENATE, No. 525

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senator VAN WAGNER

AN ACT concerning education and amending N. J. S. 18A:46-6 and  
N. J. S. 18A:46-8.

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 five and 21 residing in the district and enrolled in the  
6 public **[or nonpublic]** schools of the State *or in a nonpublic school*  
7 *located in the district* who cannot be properly accommodated  
8 through the school facilities usually provided 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 between the  
15 ages of three and five years of age who require and who would be  
16 benefited by special education programs and services which may  
17 prevent their **[handicap]** *handicaps* from becoming more debilitat-  
17A ing.

18 Each board of education shall provide information to parents of  
19 handicapped children below the age of three regarding available  
20 services and programs provided by other State, county or local  
21 agencies which may prevent their **[handicap]** *handicaps* from be-  
22 coming more 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.  
Matter printed in italics *thus* is new matter.

1 2. 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 multiple handicapped or pre-school handicapped. The examination  
12 and classification of such nonpublic school children shall be in a  
13 location determined by the local board of education *of the district in*  
14 *which the nonpublic school is located* and approved by the commis-  
15 sioner pursuant to rules and regulations promulgated by the State  
16 board.

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

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

1 3. This act shall take effect immediately.

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#### STATEMENT

This would change the statute so that only those districts in which participating nonpublic schools are located would be responsible for the provision of the services required. State aid would go directly to those districts for the provision of programs and services. This bill also makes certain minor technical changes to correct errors in P. L. 1981, c. 415 which amended N. J. S. 18A:46-6.

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S 525 (1984)

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 525**

**STATE OF NEW JERSEY**

DATED: JUNE 21, 1984

The Assembly Education Committee favorably reports this bill and endorses the Senate Education Committee Statement which reads as follows:

Under this bill, the responsibility for providing for the identification of handicapped pupils enrolled in nonpublic schools will rest with the district in which the nonpublic school is located, rather than with the district of residence of the pupil.

The intention is to simplify the recordkeeping and the procedures involved.

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SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 525**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 23, 1984

Under this bill, the responsibility for providing for the identification of handicapped pupils enrolled in nonpublic schools will rest with the district in which the nonpublic school is located, rather than with the district of residence of the pupil.

The intention is to simplify the recordkeeping and the procedures involved.