

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.

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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. <sup>2</sup>(1)<sup>2</sup> A parent or guardian of twins or higher order  
9 multiples enrolled in the same <sup>2</sup>K through 8<sup>2</sup> 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 <sup>3</sup>in writing<sup>3</sup> no later than 14 days  
17 <sup>2</sup>[after] <sup>3</sup>[before<sup>2</sup>] after<sup>3</sup> the first day of each school year <sup>2</sup>[or 14  
18 days after the first day of attendance if the students enroll in the  
19 school after the school year commences]<sup>2</sup>. 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 <sup>2</sup>In 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 <sup>3</sup>in writing<sup>3</sup> no later than  
28 <sup>3</sup>[at the time of enrollment in the school] 14 days after the first day  
29 of attendance<sup>3</sup>. 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:

<sup>1</sup>Assembly AED committee amendments adopted February 28, 2008.

<sup>2</sup>Senate SED committee amendments adopted June 5, 2008.

<sup>3</sup>Senate 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.<sup>2</sup>

7 b. A school principal may, after consultation with the students'  
8 'parent or guardian and'<sup>1</sup> 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'<sup>1</sup>. 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.'<sup>1</sup>

27 <sup>2</sup>f. 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.'<sup>2</sup>

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

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