

# ASSEMBLY, No. 2566

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 4, 2016

**Sponsored by:**

**Assemblyman PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**Assemblyman BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblywoman Caride**

**SYNOPSIS**

Establishes Response to Intervention initiative in DOE to support and encourage school districts in implementation of Response to Intervention framework.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/19/2016)**

1 AN ACT concerning the implementation of a Response to  
2 Intervention framework by school districts and supplementing  
3 chapter 6 of Title 18A of the New Jersey Statutes.

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

7  
8 1. a. The Commissioner of Education shall develop and  
9 establish an initiative to support and encourage the use of a  
10 Response to Intervention framework by school districts to promote  
11 the achievement of all students. The initiative shall include  
12 dissemination of information and guidance to school districts  
13 regarding the development and effective implementation of a  
14 Response to Intervention framework as a methodology to identify  
15 struggling learners, maximize student achievement, and reduce  
16 behavioral problems. The initiative shall also include dissemination  
17 of information and guidance to school districts regarding the  
18 effective use of a Response to Intervention framework as a  
19 methodology to identify students with specific learning disabilities  
20 in accordance with the “Individuals with Disabilities Education  
21 Act,” 20 U.S.C. s.1400 et seq.

22 b. The commissioner shall ensure that a Response to  
23 Intervention framework implemented by a school district includes,  
24 at a minimum, the following elements:

25 (1) high quality research-based instruction in the general  
26 education setting;

27 (2) universal screening procedures to identify students at risk for  
28 poor learning outcomes or behavioral challenges;

29 (3) multiple levels of evidence-based interventions that are  
30 progressively more intense, based on the student’s responsiveness;  
31 and

32 (4) continuous monitoring of student progress.

33 c. The commissioner shall make available technical assistance  
34 and training to assist school districts in the implementation of a  
35 Response to Intervention framework.

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37 2. This act shall take effect immediately.

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STATEMENT

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42 This bill directs the Commissioner of Education to develop and  
43 establish an initiative to support and encourage the use of a  
44 Response to Intervention (RTI) framework by school districts to  
45 promote the achievement of all students. The initiative must  
46 include the dissemination of information and guidance to school  
47 districts regarding the development and effective implementation of  
48 an RTI framework as a methodology to identify struggling learners,

1 maximize student achievement, and reduce behavioral problems.  
2 The initiative also must include the dissemination of information  
3 and guidance to school districts regarding the effective use of an  
4 RTI framework as a methodology to identify students with specific  
5 learning disabilities in accordance with the federal “Individuals  
6 with Disabilities Education Act” (IDEA), 20 U.S.C. s.1400 et seq.  
7 State Board of Education regulations at N.J.A.C.6A:14-  
8 3.5(c)12.(ii), consistent with the IDEA, expressly permit school  
9 districts to utilize a response to intervention methodology to  
10 identify students with specific learning disabilities. The initiative  
11 established under the bill would assist districts in the use of RTI for  
12 this and other purposes.

13 In addition, the bill requires the commissioner to ensure that an  
14 RTI framework developed and implemented by a school district  
15 includes, at a minimum, certain elements that are commonly  
16 recognized as core components of any RTI model. These elements  
17 include: (1) high quality research-based instruction in the general  
18 education setting; (2) universal screening procedures to identify  
19 students at risk for poor learning outcomes or behavioral  
20 challenges; (3) multiple levels of evidence-based interventions that  
21 are progressively more intense, based on the student’s  
22 responsiveness; and (4) continuous monitoring of student progress.

23 Finally, the bill requires the commissioner to make technical  
24 assistance and training available to assist school districts in  
25 implementing an RTI framework.