ASSEMBLY, No. 1588

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 22, 1996

By Assemblymen BAGGER and GARCIA

AN ACT concerning State aid for special education and amending P.L.1990, c.52.

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

1. Section 14 of P.L.1990, c.52 (C.18A:7D-16) is amended to read as follows:

14. Each district's special education aid shall be determined in accordance with the following calculations:

a. The number of special education aid units shall be determined by adding the products obtained by multiplying the pupils in each **[**category**]** program by the appropriate additional cost factors. The additional cost factors shall be the following:

Special Education **[**Categories**]** Programs	Additional Cost Factors
[Educable	0.60
Trainable	0.99
Orthopedically handicapped	1.70
Neurologically impaired	0.42
Perceptually impaired	0.12
Visually handicapped	2.79
Auditorily handicapped	1.63
Communication handicapped	0.84
Emotionally disturbed	1.09
Socially maladjusted	0.67
Chronically ill	2.23
Multiply handicapped	1.05
Resource room	0.45
Autistic	1.84
Preschool Handicapped, half day	0.30
Preschool Handicapped, full day	0.60
County special services school district	1.38

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.

Regional Day schools..... 1.38
County Vocational School,
Special Education Services..... 0.59
Residential facility for the retarded..... 1.72
Day training center..... 2.37
Residential youth center..... 1.39
Training school or correctional facility..... 0.56
Child treatment center or psychiatric hospital.. 1.03
Cost Factors
Supplementary and speech instruction..... 0.18
based on the
number of
pupils
actually
receiving
such
instruction
in the prior
school year]

(1) Resource center..... 0.45
County special services school district..... 1.38
Regional Day schools..... 1.38
County Vocational School,
Special Education Services..... 0.59
Residential facility for the retarded..... 1.72
Residential youth center..... 1.39
Training school or correctional facility..... 0.56
Child treatment center or psychiatric hospital.... 1.03
Supplementary and speech instruction..... 0.18
(2) Educable..... 0.60
Trainable..... 0.99
Orthopedically handicapped..... 1.70
Neurologically impaired..... 0.42
Perceptually impaired..... 0.12
Visually handicapped..... 2.79
Auditorily handicapped..... 1.63
Communication handicapped..... 0.84
Emotionally disturbed..... 1.09
Socially maladjusted..... 0.67
Chronically ill..... 2.23
Multiply handicapped..... 1.05
Autistic..... 1.84
Preschool Handicapped, half day..... 0.30
Preschool Handicapped, full day..... 0.60
Day training eligible..... 2.37

based on the number of pupils actually receiving such instruction in the prior school year

b. The number of special education aid units for home instruction shall be determined by multiplying the number of hours of instruction actually provided in the prior school year by 0.0025.

c. For the purposes of this section, special education aid shall be paid to the districts in which the pupils reside except in the case of home, supplementary or speech instruction where aid shall be paid to the district providing the service. No tuition may be charged for such home, supplementary or speech instruction. For the 1991-92 school year special education aid for pupils enrolled in resource room programs in county vocational schools or county special services schools and for home, supplementary or speech instruction shall be paid to the districts in which the pupils reside.

d. Special education aid shall equal the number of special education aid units multiplied by the State foundation amount, as defined pursuant to section 6 of P.L.1990, c.52 (C.18A:7D-6).

e. When a pupil with educational disabilities is placed in a regular class program and the district is able to demonstrate to the satisfaction of the commissioner that the special education aid which the pupil would have been entitled to had the pupil been placed in one of the programs in paragraph 2 of subsection a. of this section is necesssary to support the pupil in the regular class program, the district shall be eligible to receive that special education aid for the pupil.

f. For the 1991-92 school year, aid for all pupils in preschool handicapped classes shall be calculated using the additional cost factor for half day programs. Beginning with the 1992-93 school year, both half day and full day cost factors shall be utilized.

(cf: P.L.1991,c.62,s.10)

2. This act shall take effect immediately and shall apply to State aid for the 1995-96 school year and thereafter.

STATEMENT

This bill revises the special education aid formula to provide aid for pupils with disabilities who are placed in regular education programs

if the commissioner deems the aid to be necessary to support the pupils in those programs.

Under federal law, pupils with disabilities must be placed in the least restrictive environment which, in many instances, is the regular classroom setting. This bill ensures that pupils with disabilities who are placed in the regular classroom receive State special education aid when necessary to support them in that classroom.

Revises State special education aid formula to provide aid for pupils with disabilities in regular education programs.