ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5492

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 8, 2025

The Assembly Education Committee reports favorably and with committee amendments Assembly Bill No. 5492.

As amended, this bill requires certain information to be provided to a parent or guardian at least two business days prior to the annual Individualized Education Program (IEP) team meeting. The bill also requires the Department of Education to establish the IEP Improvement Working Group.

The amended bill requires public schools, not less than two business days prior to the annual team meeting concerning the review of an Individualized Education Program (IEP) for a special education student, to provide the student's parent or guardian with a written statement of items to be discussed at the meeting. The written statement of items is to be delivered to the parent or guardian by regular mail and, if the school maintains the parent's or guardian's email address on file, by electronic mail.

This statement is to include: (1) the student's current levels of academic and functional performance; (2) a list of the names of any required IEP team members who are seeking excusal from participation in the IEP team meeting, accompanied by any excused IEP team member's input with respect to the programs and services for which the member is responsible. This list is to be in addition to any requests for consent for excusal that are included with the notice of the IEP meeting date and participants that is provided in accordance with federal and State law and regulation; and (3) an invitation for the parent or guardian to provide input and feedback as to the programs and services proposed in the student's IEP.

Under the amended bill, the department is to establish the Individualized Education Program (IEP) Improvement Working Group. The purpose of the working group is to provide recommendations to the department regarding methods to improve the development and implementation of IEPs and to ensure parental involvement in the process. The working group is to consist of members appointed by the Commissioner of Education, including teachers, school administrators, members of the educational community, and parents as detailed in the bill.

The working group is to examine, research, and make recommendations on:

(1) practices utilized in other states that are different from practices in New Jersey for the development and implementation of IEPs and ensuring parental involvement in the process;

(2) the differences in practices used in different school districts within the State for the development and implementation of IEPs;

(3) research or other academic evidence of best practices with respect to development of IEPs;

(4) federal or State law restrictions on changes to the IEP process; and

(5) potential legislative, regulatory, funding, or other improvements to the State's IEP process.

The working group is to issue a report no later than four months after the working group organizes.

As amended and reported by the committee, Assembly Bill No. 5492 is identical to Senate Bill No. 3982 (SCS), which also was amended and reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- require the written statement of items be delivered to the parent or guardian by regular mail and, if the school maintains the parent's or guardian's email address on file, by electronic mail;
- increase the number of members on the working group who have expertise working with, or representing, students with disabilities from four to six;
- require one of those six members to have direct experience providing transition services and one of those members to be at least 21 years of age and have received special education and related services pursuant to an IEP; and
- update the members on the working group who are part of a child study team in a public school in the State to include an individual employed as a speech-language specialist instead of an individual employed by a related services provider.