

ASSEMBLY, No. 4755

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED OCTOBER 8, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires school districts to ensure school buildings are open each school day to provide special education and related services to students with disabilities in-person during 2020-2021 school year.

CURRENT VERSION OF TEXT

As introduced.



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1 district showed that it could not meet certain health and safety
2 standards.

3 This bill requires school districts to ensure that the schools of the
4 district are open to provide special education and related services,
5 such as speech language services, counseling services, physical
6 therapy, occupational therapy, behavioral services, and nutrition
7 services, to students with disabilities in-person during the 2020-
8 2021 school year. Under the bill, special education and related
9 services would be delivered in-person, unless the parent or guardian
10 of the student requests that the student be provided the special
11 education and related services through a full-time program of
12 virtual or remote instruction or through a combination of virtual or
13 remote instruction and in-person instruction. The provision of
14 special education and related services would be in accordance with
15 a student's individualized education program (IEP) and in
16 consultation with the student's parent or guardian and the child
17 study team. The bill requires that the special education and related
18 services be delivered in a manner that adheres to health and safety
19 standards set forth by the DOE and the Department of Health.

20 Research has shown that in-person programs of instruction
21 generally lead to better educational outcomes for students, when
22 those programs are compared to virtual or remote programs of
23 instruction. Distance learning presents even more unique
24 challenges to students with disabilities, especially when those
25 students require a high level of support and assistance. These
26 challenges presented themselves in a clear way during the COVID-
27 19 pandemic as students were suddenly shifted to an online form of
28 learning. While school districts strived to provide special education
29 services to the greatest extent possible in a manner consistent with a
30 student's IEP, there are fears that many students with disabilities
31 may have fallen behind in meeting the goals set out in their IEPs.
32 In requiring schools to be open for in-person delivery of special
33 education, the intent of this bill is to better ensure that a free and
34 appropriate public education is provided to students with disabilities
35 and to prevent further learning loss among this student population.