

SENATE, No. 1653

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Establishes Autism Education Council.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** establishing the Autism Education Council and
2 supplementing Title 18A of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. This act shall be known and may be cited as the "New Jersey
8 Autism Education Act."

9
10 2. The Legislature finds and declares that:

11 a. Autism spectrum disorders, neurological disorders that cause
12 mild to severe social, communication and other impairments in an
13 individual, generally appear during the first three years of life and
14 continue over a lifetime, resulting in significant and long-term
15 emotional and financial distress to both the autistic individual and
16 the family members who care for him;

17 b. The cost of caring for individuals with autism spectrum
18 disorders is tremendous, particularly since many autistic individuals
19 must reside in specialized settings such as group homes throughout
20 most of their lives. One estimate reports that the cost of autism in
21 the State exceeds one billion dollars each year;

22 c. Although the exact prevalence of autism spectrum disorders
23 is unknown, it is estimated by the Centers for Disease Control and
24 Prevention that 2 to 6 per 1,000 children have an autism spectrum
25 disorder. The disorders are four times more likely to occur in boys
26 than in girls and are more common among children than many
27 better known disabilities, such as diabetes and Down syndrome;

28 d. There is no known cure for autism spectrum disorders
29 although specialized educational therapies and approaches are
30 available that may help manage its symptoms. It is therefore
31 imperative that the parents of an affected child work collaboratively
32 with the school district to arrange the most appropriate education
33 for their child;

34 e. However, a history of inattention to autism spectrum
35 disorders by the education community coupled with a sharp
36 increase in the number of new diagnoses of the condition has
37 resulted in a situation in which the educational needs of autistic
38 children greatly exceed both the range of autism education services
39 currently available and the capacity of the workforce that is
40 qualified to provide them; and

41 f. The parents, school districts, and local taxpayers across the
42 State who struggle to finance costly education programs for autistic
43 children would benefit from an Autism Education Council which
44 seeks to better develop the capacity of the autism education
45 workforce in this State and broaden the array of services available
46 to students with autism in the public schools.

47
48 3. As used in this act:

1 "Autism" means autism spectrum disorders to the extent
2 determined by the council to be appropriate;

3 "Council" means the Autism Education Council created pursuant
4 to this act.

5
6 4. a. There is established an Autism Education Council in, but
7 not of, the Department of Education. The council shall consist of
8 seven members including the Commissioner of Education, or his
9 designee, who shall serve ex officio, and six public members to be
10 appointed by the Governor, including two public school teachers
11 and one representative of each of the following organizations:
12 Parents of Autistic Children, The New Jersey Center for Outreach
13 Services for the Autism Community, The Family Resource
14 Network, and ASPEN. To the greatest extent practicable,
15 consideration shall be given to the appointment of members from
16 these organizations who possess some teaching experience. The
17 two public school teachers appointed to the council shall have a
18 Master's Degree in Education or other relevant subject area,
19 certification as a Board Certified Behavior Analyst by the Behavior
20 Analyst Certification Board, and a minimum of five years'
21 experience as a teacher.

22 The commissioner or his designee shall serve as chairman of the
23 council. The two teachers on the council shall serve for two-year
24 terms and all other members shall serve for three-year terms. Each
25 member shall hold office for the term of appointment and until a
26 successor is appointed and qualified.

27 Vacancies in the membership of the commission shall be filled in
28 the same manner as the original appointments are made and a
29 member may be eligible for reappointment. Vacancies occurring
30 other than by expiration of a term shall be filled for the unexpired
31 term.

32 The members of the council shall serve without compensation
33 but shall be reimbursed for the reasonable expenses necessarily
34 incurred in the performance of their duties within the limits of funds
35 appropriated or otherwise made available to the council for its
36 purposes.

37 b. The council shall organize no later than 30 days after the
38 appointment of its members and shall meet periodically at the call
39 of the chairman, but not less than six times in each year. A majority
40 of the members of the council shall constitute a quorum, but a lesser
41 number may hold hearings.

42 c. The chairman shall appoint a salaried administrator for the
43 council and shall provide the council with additional administrative
44 staff and support as may be necessary to enable the council to carry
45 out its functions.

46

47 5. It shall be the duty of the council to:

48 a. establish a five-member Educational Advisory Committee

1 whose members shall serve at the pleasure of the council. Three
2 members of the committee shall be appointed by the chairman of
3 the council and shall include one director of special education in a
4 public school district and two chairpersons, coordinators, or other
5 individuals in charge of teacher preparation programs for special
6 education teachers. Two members of the committee shall be
7 appointed by a majority vote of the council.

8 The committee shall identify and make recommendations to the
9 council regarding the most effective use of grant funds to improve
10 the quality and availability of public school services and programs
11 for children with autism. The committee shall identify potential
12 grant recipients who represent a variety of research-based
13 approaches to educating children with autism.

14 b. award grants through the Department of Education, upon
15 recommendation of the Educational Advisory Committee
16 established pursuant to subsection a. of this section, to public
17 school districts and public institutions of higher education to
18 increase the quality and availability of public school services and
19 programs for children with autism. Grants may be used to offset the
20 costs of:

21 (1) professional development and educational activities for
22 educators and other individuals working with children with autism
23 in the public schools and for students of postsecondary institutions
24 who are pursuing education careers working with children with
25 autism. Appropriate activities include programs, workshops,
26 institutes, seminars and other training activities that will enhance
27 the skills and capacity of current and future educators to work with
28 autistic children;

29 (2) hiring additional paraprofessionals to work directly with
30 children with autism in the public schools; and

31 (3) supplemental education services for children with autism in
32 the public schools including after-school socialization programs,
33 recreation programs, transitional planning services, and other
34 appropriate services.

35 c. establish mechanisms to monitor the impact of the grants
36 distributed by the council and to submit an annual report to the
37 Governor, the Legislature, and all public school districts one year
38 after the council is established, and every year thereafter, on its
39 activities. The report shall identify the number of grants distributed
40 and the amount, recipient, purpose, and impact of each grant. The
41 council shall make its annual report available to members of the
42 public, upon request.

43
44 6. a. Beginning in Fiscal Year 2021 and in each fiscal year
45 thereafter until Fiscal Year 2029, the Governor shall recommend
46 and the Legislature shall appropriate \$10,000,000 from the General
47 Fund to the Department of Education for the Autism Education
48 Council.

1 working with children with autism; hiring additional
2 paraprofessionals to work directly with children with autism in the
3 public schools; and supplemental education services for children
4 with autism in the public schools including after-school
5 socialization programs, recreation programs, transitional planning
6 services, and other appropriate services.

7 The council will establish mechanisms to monitor the impact of
8 the grants distributed by the council and will submit an annual
9 report to the Governor, the Legislature, and all public school
10 districts. The report will identify the number of grants distributed
11 and the amount, recipient, purpose, and impact of each grant.

12 The bill directs the Governor to recommend and the Legislature
13 to appropriate \$10,000,000 annually beginning in fiscal year 2021
14 through fiscal year 2029 to the Department of Education for the
15 Autism Education Council. Of the amount appropriated, a minimum
16 of \$9,600,000 must be used annually to fund grants.