

SENATE, No. 2696

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JULY 14, 2020

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Permits special education students and bilingual education students to repeat prior year grade level during 2020-2021 school year upon parental request.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning the voluntary grade retention of certain
2 students during the 2020-2021 school year.

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

6
7 1. a. Notwithstanding the provisions of any other law to the
8 contrary, during the 2020-2021 school year, a special education
9 student or bilingual education student shall be permitted to repeat
10 the same grade level in which the student was enrolled during the
11 2019-2020 school year, provided that the parent, guardian, or other
12 person having legal custody of the student submits a written request
13 of grade retention, in accordance with subsection b. of this section,
14 before September 1, 2020.

15 b. (1) The parent, guardian, or other person having legal
16 custody of a special education student or bilingual education
17 student shall submit the written request of grade retention to the
18 superintendent of the school district of residence.

19 (2) When the parent, guardian, or other person having legal
20 custody of a special education student or bilingual education
21 student submits a written request of grade retention to the
22 superintendent of the school district of residence, and the student
23 will attend a school outside of the school district of residence
24 during the 2020-2021 school year, the superintendent of the school
25 district of residence shall transmit the written request, as soon as
26 practicable, to the superintendent or other chief administrative
27 officer of the school of attendance.

28 c. Nothing in this section shall be construed to limit the rights
29 afforded to a special education student under the federal
30 "Individuals with Disabilities Education Act" (20 U.S.C. s.1400 et
31 seq.), including the student's right to compensatory education when
32 such relief shall be granted.

33 d. As used in this section:

34 "Bilingual education student" means a student who is enrolled in
35 a program of bilingual education or an English as a Second
36 Language program approved by the State Board of Education.

37 "School of attendance" means a public school or approved
38 private school for students with disabilities which a special
39 education student or bilingual education student attends.

40 "Special education student" means a student who receives
41 programs and services pursuant to chapter 46 of Title 18A of the
42 New Jersey Statutes.

43
44 2. This act shall take effect immediately.

STATEMENT

This bill provides that during the 2020-2021 school, special education and bilingual education students may repeat the grade level in which the student was enrolled during the 2019-2020 school year, provided that the parent, guardian, or other person having legal custody of the student submits a written request before September 1, 2020.

Under the bill, the parent, guardian, or other person having legal guardian of a special education student or bilingual education student would be required to submit the written request to the superintendent of the student's school district of residence. When the parent, guardian, or other person having legal custody of a special education or bilingual education student submits the written request to the superintendent of the school district of residence, and the student will attend a school outside of the school district of residence during the 2020-2021 school year, the bill requires the superintendent to transmit the written request, as soon as practicable, to the superintendent or other chief administrative officer of the student's school of attendance.