

[First Reprint]
SENATE, No. 3298

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 18, 2020

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Monmouth and Ocean)

Co-Sponsored by:

Senators A.M.Bucco, Corrado and Schepisi

SYNOPSIS

Allows certain persons with developmental disabilities older than 21 years of age to attend special education programs and to simultaneously participate in adult day and employment programs.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on December 6, 2021, with amendments.



(Sponsorship Updated As Of: 12/6/2021)

1 AN ACT concerning certain persons with developmental disabilities
 2 and supplementing Chapter 46 of Title 18A of the New Jersey
 3 Statutes and Chapter 6D of Title 30 of the Revised Statutes.

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

7
 8 1. The Commissioner of Education shall allow a person with a
 9 developmental disability who is 21 years of age ¹**and** or¹ older
 10 ¹but younger than 26 years of age¹, who, due to behavioral
 11 problems, it was determined could not be provided a suitable
 12 special education program pursuant to the provisions of
 13 N.J.S.18A:46-14, to attend a special educational program approved
 14 under N.J.S.18A:46-1 et seq. if:

15 a. the behavioral problems that led to the determination that a
 16 suitable special education program could not be provided to the
 17 person have resolved; and

18 b. the person will benefit from attending the special education
 19 program.

20
 21 2. a. Notwithstanding any law or regulation to the contrary, a
 22 person with a developmental disability who is 21 years of age
 23 ¹**and** or¹ older who transitions from receiving services and
 24 supports from the Division of Children's System of Care in the
 25 Department of Children and Families to receiving services and
 26 supports from the Division of Developmental Disabilities in the
 27 Department of Human Services shall be eligible to attend and
 28 participate in both an adult day program and an employment
 29 program if:

30 (1) the person meets the eligibility requirements of and applies
 31 to both the adult day program and the employment program; and

32 (2) the person's individualized service plan ¹**developed**
 33 **pursuant to N.J.A.C.10:4C-1.1 et seq.** , as applicable,¹ contains
 34 documentation that the person is authorized to both attend the day
 35 program and participate in the employment program.

36 b. As used in this section:

37 "Day program" means a program that is certified to provide day
 38 habilitation services or sheltered workshops for persons with
 39 developmental disabilities ¹**;** and¹.

40 "Employment program" means a program designed for persons
 41 with developmental disabilities whose disabilities make sheltered
 42 employment, after completion of a certified program of vocational
 43 evaluation and training, the only suitable form of employment.

44
 45 3. This act shall take effect immediately.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted December 6, 2021.