

# SENATE EDUCATION COMMITTEE

## STATEMENT TO

### SENATE, No. 3434

# STATE OF NEW JERSEY

DATED: MARCH 9, 2021

The Senate Education Committee favorably reports Senate Bill No. 3434.

This bill requires a board of education to temporarily provide special education and related services to certain students who exceed, or will exceed, the current age of eligibility for special education and related services in the 2020-2021 school year and the 2021-2022 school year.

Under current State Board of Education regulations, district boards of education are required to provide a free, appropriate public education, in accordance with an individualized education program, to students with disabilities age three through 21. If a student turns 21 years of age during the school year, defined as the period between July 1 and June 30, the student is entitled to finish the school year. On June 30 of the student's final school year, the student is no longer eligible for special education and related services. This process is commonly referred to as "aging out."

This bill would extend the age eligibility for special education and related services by requiring boards of education to provide the education and services included in a student's individualized education program (IEP) to students attaining the age of 21 during the 2020-2021 school year and the 2021-2022 school year. Students attaining the age of 21 during the 2020-2021 school year would be eligible for special education and related services in the 2021-2022 school year; meanwhile, students attaining the age of 21 during the 2021-2022 school year would be eligible for special education and related services in the 2022-2023 school year. Unless otherwise provided in the student's IEP, a student would not be eligible to receive special education and related services under this bill beyond the school year in which he or she attains the age of 22.