

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 4222

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Education Committee favorably reports Senate Bill No. 4222.

This bill deletes a provision of current law under P.L.2021, c.109 which requires the Department of Education (DOE) to, for the 2021-2022 school year through the 2025-2026 school year, set the maximum tentative tuition rate of each approved private school for students with disabilities (APSSDs) at the maximum tentative tuition rate set for the 2020-2021 school year if, during the 2021-2022 school year through the 2023-2024 school year, the school exceeds the total number of students at the approved facility in the 2020-2021 school year.

P.L.2021, c.109 requires a board of education to temporarily provide special education and related services, including transition services, to certain students who attain the age of 21 during the 2020-2021 school year, the 2021-2022 school year, and the 2022-2023 school year. The law extends for one year the age of eligibility for special education and related services for these students, provided that the parent of the student and the individualized education program (IEP) team determine that the student requires additional or compensatory special education and related services, including transition services.

As part of the law, the DOE is required to permit APSSDs to temporarily utilize non-qualifying spaces on school property for instruction and educational purposes in order to serve any additional students receiving special education and related services, including transition services, pursuant to the provisions of the law. The law also requires the DOE to set the maximum tentative tuition rate of each APSSD at the maximum tentative tuition rate set for the 2020-2021 school year if, during the 2021-2022 school year through the 2023-2024 school year, the school exceeds the total number of students at the approved facility in the 2020-2021 school year. This bill deletes the provision related to the setting of tuition for APSSDs.