

SENATE RESOLUTION No. 132

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 3, 2021

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

Urges Congress to amend Individuals with Disabilities Education Act to expand eligibility for funding to students with special needs who are 22 years of age.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/15/2021)

1 **A SENATE RESOLUTION** urging Congress to amend the Individuals
2 with Disabilities Education Act to expand eligibility for funding
3 to students with special needs who are 22 years of age.
4
5 **WHEREAS**, The COVID-19 pandemic has significantly impacted the
6 delivery of educational services to students with special needs and
7 caused added stress for both students and their families; and
8 **WHEREAS**, Parents of students with special needs have reported that,
9 over the past year, distance learning has caused their children to fall
10 behind academically, miss developmental milestones, and lose key
11 skills necessary for an independent life; and
12 **WHEREAS**, While every student has fallen behind and even regressed
13 to some degree during remote instruction, students with special
14 needs are more likely to experience significant learning regression;
15 and
16 **WHEREAS**, With school districts shifting to remote instruction in
17 March of 2020, many special education services were subsequently
18 delivered through remote means or in ways that were not initially
19 envisioned by parents and school district officials; and
20 **WHEREAS**, The decision to suspend in-person learning left many
21 parents personally responsible for providing the support services
22 normally delivered to their children by trained specialists and
23 without the resources needed to fulfill their child's individualized
24 education program (IEP); and
25 **WHEREAS**, An IEP is the primary way in which schools fulfill their
26 responsibilities under the federal Individuals with Disabilities
27 Education Act (IDEA) by setting out measurable goals for the
28 student each school year as well as the various services that will be
29 provided by the district; and
30 **WHEREAS**, The IDEA is the means by which the federal government
31 provides funding to participating states to cover the costs of
32 providing a free and appropriate public education to students with
33 developmental disabilities; and
34 **WHEREAS**, Under Part B of the IDEA, funds are used to provide
35 special education services, related services such as physical,
36 occupational, and speech therapy, and supplementary aids and
37 services to school age students ranging from ages 3 through 21; and
38 **WHEREAS**, In most states, a student will no longer receive services
39 after they reach age 21 or if the student receives a high school
40 diploma, whichever occurs first; and
41 **WHEREAS**, Normally, a student who is entitled to services under the
42 IDEA receives quality, consistent, in-person support services which
43 allow the student to more easily transition to adulthood; and
44 **WHEREAS**, However, in light of the disruption of services due to the
45 COVID-19 pandemic, students with disabilities will not have
46 similarly benefitted from the services received during remote
47 instruction as they will age out of their respective school systems

1 with effectively one less year of support than those enrolled in
 2 previous years; and
 3 **WHEREAS**, Allowing special education students to age out at the
 4 current age of 21 impairs a school district's ability to adequately
 5 prepare them for adulthood; and
 6 **WHEREAS**, Although some states allow students to receive services
 7 until age 22, current circumstances warrant providing every student,
 8 regardless of where he or she lives, additional time to receive those
 9 services; and
 10 **WHEREAS**, By amending the Individuals with Disabilities Education
 11 Act to permit students to receive services until age 22,
 12 developmental regressions occurring as a result of a switch to
 13 remote instruction can be properly addressed while ensuring that
 14 these students continue to make progress in their education; now,
 15 therefore,

16
 17 **BE IT RESOLVED** *by the Senate of the State of New Jersey*:

18
 19 1. This House urges Congress to amend the Individuals with
 20 Disabilities Education Act to expand eligibility for funding to
 21 students who are 22 years of age.

22
 23 2. Copies of this resolution, as filed with the Secretary of State,
 24 shall be transmitted by the Secretary of the Senate to the Majority
 25 and Minority Leaders of the United States Senate, the Speaker and
 26 Minority Leader of the United States House of Representatives, and
 27 to every member of Congress elected from this State.

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30 STATEMENT
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32 This resolution urges Congress to amend the Individuals with
 33 Disabilities Education Act (IDEA) to expand eligibility for funding
 34 to students with special needs who are 22 years of age. In light of
 35 the COVID-19 pandemic, the delivery of educational services to
 36 students with special needs has been significantly impacted and led
 37 them to fall behind academically, miss developmental milestones,
 38 and lose key skills necessary for an independent life. With school
 39 districts shifting to remote instruction in March of 2020, many
 40 special education services were subsequently delivered through
 41 remote means or in ways that were not initially envisioned by
 42 parents and school district officials. The decision to suspend in-
 43 person learning left many parents personally responsible for
 44 providing the support services normally delivered to their children
 45 by trained specialists and without the resources needed to fulfill
 46 their child's individualized education program (IEP). An IEP is the
 47 primary way in which schools fulfill their responsibilities under the
 48 IDEA by setting out measurable goals for the student each school

1 year as well as the various services that will be provided by the
2 district.

3 The IDEA is the means by which the federal government
4 provides funding to participating states to cover the costs of
5 providing a free and appropriate public education to students with
6 developmental disabilities. Under Part B of the IDEA, funds are
7 used to provide special education services, related services such as
8 physical, occupational, and speech therapy, and supplementary aids
9 and services to school age students ranging from ages 3 through 21.
10 In most states, a student will no longer receive services after they
11 reach age 21 or if the student receives a high school diploma,
12 whichever occurs first. Normally, a student who is entitled to
13 services under the IDEA receives quality, consistent, in-person
14 support services which allow the student to more easily transition to
15 adulthood. However, in light of the disruption of services due to
16 the COVID-19 pandemic, students with disabilities will not have
17 similarly benefitted from the services received during remote
18 instruction as they will age out of their respective school systems
19 with effectively one less year of support than those enrolled in
20 previous years. Allowing special education students to age out at
21 the current age of 21 impairs a school district's ability to adequately
22 prepare them for adulthood. By amending the federal Individuals
23 with Disabilities Education Act to permit students to receive
24 services until age 22, developmental regressions occurring as a
25 result of a switch to remote instruction can be properly addressed
26 while ensuring that these students continue to make progress in
27 their education.