

CHAPTER 31

AN ACT establishing a Task Force on Improving Special Education for Public School Students.

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

1. The Legislature finds and declares that:

a. According to the Department of Education, there are approximately 215,000 students in the State currently eligible to receive special education and related services, and the excess cost of providing special education and related services beyond general education is an additional \$11,000 per pupil;

b. Despite the ever-increasing allocation of State and local dollars to fund special education services each year, many public schools in the State are ill-equipped to provide effective special education and related services for their students within the district and must send students to out-of-district public schools or private schools in order to meet their needs, which increases the overall cost of providing special education and creates additional hardships for the students and their parents;

c. A series of recent newspaper articles alleged that millions of dollars are squandered on special education programs each year due to fraud, a lack of oversight, a failure to document the effectiveness of programs, the need to send students to out-of-district public or private schools, and a lack of uniform standards for educating students with certain disabilities such as autism;

d. Many parents and guardians of students requiring special education feel that the programs and services do not adequately meet the needs of their children, and that the current system is too inflexible to allow for necessary programmatic changes; and

e. It is therefore in the public interest of special education students and the parents or guardians of those students to establish a task force to study various issues related to improving service delivery and providing appropriate and cost-effective special education programs and services for public school students.

2. There is established a Task Force on Improving Special Education for Public School Students to consist of 17 members as follows: the Commissioner of Education, ex officio, or a designee; and 16 members appointed by the Governor, including one parent or guardian of a public school student receiving special education services, one parent or guardian of a student attending a private school for students with disabilities, one public school special education teacher, one director of special education services for a school district, one representative of the Arc of New Jersey, one representative of the New Jersey Council on Developmental Disabilities, one representative of the New Jersey Parent-Teacher Association, one representative of the New Jersey Association of School Administrators, one representative of the New Jersey Education Association, one representative of the New Jersey School Boards Association, one representative of the New Jersey Principals and Supervisors Association, one representative of the New Jersey Association of School Business Officials, one representative of the Statewide Parent Advocacy Network of New Jersey, one representative of the Garden State Coalition of Schools, one representative of ASAH, and one representative of the American Federation of Teachers.

3. Appointments to the task force shall be made within 30 days of the effective date of this act. Vacancies in the membership of the task force shall be filled in the same manner as the original appointments were made. Members of the task force shall serve without

compensation but shall be entitled to their actual and necessary expenses incurred in the performance of their duties pursuant to this act.

4. It shall be the duty of the task force to study issues associated with improving the funding, delivery, and effectiveness of special education programs and services for public school students. The task force shall examine issues including, but not limited to: the evaluation of practices for classifying and educating students who are eligible for special education programs and services; the development of best practices for education professionals working with special education students; strategies to reduce the costs associated with the placement of eligible students in out-of-district public schools or private schools, including the development of in-district special education programs and services; and the development of standards and appropriate oversight to ensure that programs and services address the needs of students, focus on student achievement, and assess the effectiveness of programs and services.

5. Staff and related support services shall be provided to the task force by the Department of Education. The task force shall also be entitled to call to its assistance and avail itself of the services of the employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for its purposes.

6. The task force may meet and hold meetings at the place or places it designates and shall present its findings and recommendations to the Governor, the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), the State Board of Education, and the Commissioner of Education no later than 180 days following its organizational meeting.

7. This act shall take effect immediately and the task force shall expire upon submission of its report pursuant to section 6 of this act.

Approved March 12, 2013.