

Education

State Board of Education

Fiscal Accountability, Efficiency, and Budgeting Procedures

Tuition for Private Schools for Students with Disabilities

Adopted Amendment: N.J.A.C. 6A:23A-18.6

Proposed: December 17, 2018, at 50 N.J.R. 2476(a).

Adopted: April 23, 2019, by the New Jersey State Board of Education, Lamont O. Repollet, Ed.D., Commissioner, Department of Education, Secretary, State Board of Education.

Filed: April 23, 2019, as R.2019 d.046, **without change**.

Authority: N.J.S.A. 18A:46-21.

Effective Date: May 20, 2019.

Expiration Date: April 6, 2024.

Summary of Public Comments and Agency Responses:

The following is a summary of the comments received from Theresa Hornberger of ASAH and the Department's responses.

1. COMMENT: The commenter inquired if approved private schools for students with disabilities (APSSDs) may include in allowable costs for the 2018-2019 school year the payout of earned unused sick leave equal to 2.2 percent of salary pursuant to the proposed amendment.
RESPONSE: Yes. Beginning with the 2018-2019 school year, APSSDs may include as an allowable cost the payment of earned unused paid time off (sick, vacation, personal, or paid time off (PTO)) to the extent it is used to comply with the provisions of P.L. 2018, c. 10, up to the 2.2 percentage limitation in N.J.A.C. 6A:23A-18.6(a)66 as proposed for amendment.

2. COMMENT: The commenter inquired if APSSDs need to resubmit policies for approval by the Commissioner.

RESPONSE: The payment of earned sick leave pursuant to N.J.A.C. 6A:23A-18.6(a)66 does not require approval of the Commissioner, or his or her designee, pursuant to N.J.A.C. 6A:23A-18.5(f)13. If an APSSD intends to offer any other fringe benefit that is not set forth in N.J.A.C. 6A:23A-18.5(f)1 through 12, or alters its policy that was previously approved pursuant to N.J.A.C. 6A:23A-18.5(a)13 because of the amendment to N.J.A.C. 6A:23A-18.6(a)66, the APSSD must resubmit its policy, with applicable changes, to the Commissioner, or his or her designee, for approval. APSSDs must continue to establish and maintain an employee handbook that outlines the employee fringe benefits offered at the school, pursuant to N.J.A.C. 6A:23A-18.5(f); the employee handbook must be made available, upon request, to the Department of Education, pursuant to N.J.A.C. 6A:23A-18.14.

Federal Standards Statement

There are no Federal standards or requirements applicable to the adopted amendment; therefore, a Federal standards analysis is not required.

Full text of the adoption follows:

TEXT