

Committee on Education

SB 236 — Children with Developmental Delays

by Senators Jones, Ausley, Powell, Berman, Taddeo, Gibson, Stewart, Bracy, Pizzo, Book, and Torres

The bill modifies the definition of a developmental delay by extending the upper age limit for the identification of a student as having a developmental delay from age 5 to age 9, the maximum age authorized by federal law, or through the completion of grade 2, whichever comes first.

Under the bill, a student with a developmental delay up to age 9 or grade 2 may be included in the definition of an “exceptional student” and eligible for admission to public special education programs. Accordingly, the bill requires the State Board of Education to adopt rules for the identification of developmental delays in students up to age 9 or grade 2, whichever comes first, who are eligible for admission to public special education programs and for related services.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 38-0; House 117-0