

Notice of Adoption for N.J.A.C. 6A:8, Standards and Assessment

The following is the accessible version of the notice of adoption related to the proposed new rules at N.J.A.C. 6A:8 to implement the Bridge Year Pilot Program. The notice includes two sections – [comments and responses](#) and [text of the changes upon adoption](#).

Education

State Board of Education

Standards and Assessment

Bridge Year Pilot Program

Adopted New Rules: N.J.A.C. 6A:8-6

Proposed: May 16, 2022, at 54 N.J.R. 815(a).

Adopted: October 12, 2022, by the New Jersey State Board of Education, Angelica Allen-McMillan, Ed.D., Acting Commissioner, Department of Education, and Acting Secretary, State Board of Education.

Filed: October 13, 2022, as R.2022 d.140, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: P.L. 2020, c. 41.

Effective Date: November 7, 2022.

Expiration Date: May 3, 2025.

Summary of Public Comments and Agency Responses:

The following is a summary of the comments received from members of the public and the Department of Education's (Department) responses. Each commenter is identified at the end of the comment by a number that corresponds to the following list:

1. Elizabeth Fagan
2. Elisabeth Yucis, Associate Director of Professional Development and Instructional Issues, New Jersey Education Association (NJEA)
3. Thomas Baffuto, Executive Director, The Arc of New Jersey

4. Jonathan Pushman, Director, Government Relations, New Jersey School Boards Association (NJSBA)

1. Comment: The commenter stated that the Bridge Year Pilot Program rules at N.J.A.C. 6A:8-6 provide eligible students in the classes of 2021 and 2022 the option to defer graduation for a year to mitigate disruptions to their learning as result of the COVID-19 pandemic and to participate in athletics and extracurriculars that were suspended in spring 2020. The commenter also stated that the structure and nature of the Bridge Year Pilot Program and its accompanying rules at N.J.A.C. 6A:8-6 provide a valuable option for high school students in classes of 2021 and 2022. The commenter expressed support for the efforts of the Legislature and State Board of Education to establish a program that benefits eligible students whose learning was impacted by the COVID-19 pandemic

The commenter expressed support for a strong public education system that prioritizes high school graduation and promotes a collaborative approach to assist students achieve graduation from high school. The commenter stated that the Bridge Year Pilot Program supports each student with academic assistance, post-secondary support, appropriate interventions, if needed, and fosters collaboration and partnership between school districts and county colleges. (2)

Response: The Department thanks the commenter for the support.

2. Comment: The commenter expressed support for students with disabilities being offered equitable access to the same educational and social opportunities as their peers without disabilities. The commenter stated that the rules will allow students in a bridge year to participate in graduation ceremonies with their original graduating class and that the individualized education program (IEP) team must be included in developing the

student's individual learning plan (ILP). The commenter also stated that the Bridge Year Pilot Program provides a unique opportunity for students with disabilities who have met the requirements for high school graduation, but may have incurred learning loss and interrupted services due to the COVID-19 pandemic. The commenter acknowledged that the Bridge Year Pilot Program will be beneficial to a small percentage of students with disabilities in New Jersey and assurances are needed that participating students have a path to succeed with appropriate support. (3)

Response: The Department thanks the commenter for the support.

3. Comment: The commenter asked for clarification regarding the purpose of the bridge year and how it benefits students. (1)

Response: P.L. 2020, c. 41, established a three-year Bridge Year Pilot Program, under which each school district with a high school must offer students in the graduating classes of 2021 and 2022 the opportunity to pursue a bridge year during the year immediately following their senior year of high school. The Bridge Year Pilot Program provides participating students with an additional year to address learning loss and missed opportunities in extracurricular activities, including spring sports programs, due to the circumstances created by the COVID-19 pandemic. This additional year is referred to throughout the proposed new rules as "bridge year."

4. Comment: The commenter stated that N.J.A.C. 6A:8-6.3(b) requires each host high school to designate a staff member as a bridge year liaison, but the definition of "host high school" includes the high school and the school district. The commenter asked whether the intent is to have one staff person per high school or one staff person per school district to be the liaison. (4)

Response: New N.J.A.C. 6A:8-6.3(b) requires each host high school to designate a staff member as a bridge year liaison to carry out the responsibilities set forth at proposed new N.J.A.C. 6A:8-6.5. Each high school in a school district that has students participating in the Bridge Year Pilot Program must have a bridge year liaison from that high school. A high school that does not have students who expressed an intent to participate in the Bridge Year Pilot Program does not need to have a bridge year liaison.

5. Comment: The commenter expressed concern that N.J.A.C. 6A:8-6.4, which addresses student eligibility for the Bridge Year Pilot Program, does not explicitly require the student to remain a resident of the school district and/or same high school to participate in the Bridge Year Pilot Program. The commenter recommended that continued residency and attendance at the high school in which the student was enrolled prior to entering the Bridge Year Pilot Program be part of the eligibility requirements. (4)

Response: N.J.A.C. 6A:8-6.4(d) requires a student pursuing a bridge year to remain enrolled in the host high school, which is defined at P.L. 2020, c. 41, as the high school in which the student was enrolled as a junior. Pursuant to N.J.A.C. 6A:8-6.4(d), a student in a bridge year is not permitted to transfer to a different high school, as the designation of the host high school cannot be changed.

6. Comment: The commenter requested amendments at N.J.A.C. 6A:8-6.5 to require that the bridge year liaison position be held by an individual employed in the school district in a full-time capacity, working pursuant to an administrative, instructional, or educational services certificate. (2)

Response: New N.J.A.C. 6A:8-6.3(b) requires each host high school to designate a staff member as a bridge year liaison to carry out the responsibilities set forth at proposed new

N.J.A.C. 6A:8-6.5. As the point of contact in the host high school for students in bridge year, the liaison facilitates the planning of education services, including access to academic records. N.J.A.C. 6A:32-7.5 allows access to student records to only authorized organizations, agencies, or persons. As set forth at N.J.A.C. 6A:32-7.5(e)4, certified school district personnel who are assigned educational responsibility for a student are permitted access to the student's general student record, including academic records. Therefore, the requested amendment at new N.J.A.C. 6A:8-6.5 is not necessary.

7. Comment: The commenter stated that the rules do not place any accountability on the student or their parents to ensure that a student is making adequate progress finishing their bridge year. The commenter also stated that students will be 18 or 19 years old during their bridge year and headed toward graduation; therefore, it is a reasonable developmental expectation that most students should have a partial duty to monitor their progress. The commenter acknowledged that there are instances in which a student may need additional support, such as a student who has significant cognitive or developmental disabilities. The commenter also stated the student should be held accountable for their own progress and success, whenever possible. The commenter requested amendments at N.J.A.C. 6A:8-6.6 to clarify that the student shall be ultimately responsible for a successful completion of bridge year, whenever possible. (2)

Response: New N.J.A.C. 6A:8-6.6 establishes the criteria for the development of the ILP, which is created in consultation with the student. Therefore, students in a bridge year bear responsibility for their progress. The Department, therefore, determines that the requested amendment at proposed N.J.A.C. 6A:8-6.6 is not necessary.

8. Comment: The commenter stated that the requirement at N.J.A.C. 6A:8-6.6(a)1 for the bridge year liaison to “consider conferring” with a multidisciplinary team lacks clarity. The commenter recommended that N.J.A.C. 6A:8-6.6(a)1 be amended to state that the liaison "shall confer" or "may confer" with the multidisciplinary team. (4)

Response: The Department thanks the commenter for the input and has changed N.J.A.C. 6A:8-6.6(a)1 upon adoption to replace “shall consider conferring” with “may confer.”

9. Comment: The commenter asked if N.J.A.C. 6A:8-6.7 obligates the host high school to provide transportation to a bridge year student attending a county college or other institution of higher education. The commenter also asked about the funding source regarding that transportation. (4)

Response: The provisions at N.J.S.A. 18A:39-1 that require a school district to provide transportation services to high school students who attend a school more than 2.5 miles from home would apply to a student in a bridge year who attends a county college or four-year institution of higher education. In such a case, the school district would include the student in a bridge year in the District Report of Transported Resident Students and would receive State transportation aid on the same basis as any other student receiving mandated transportation.

10. Comment: The commenter expressed concern about N.J.A.C. 6A:8-6.7(c), which requires students to fulfill nine to 12 credits at their local community college during the spring semester of the bridge year. The commenter stated that many students with disabilities are entitled to additional services until the student graduates high school or turns 21 years old. The commenter stated that the requirement of fulfilling credits at a community college creates a barrier for students with disabilities because the student would likely be

unable to access the supports included in the IEP. The commenter also stated that the new rules should include a solution for this problem to ensure that the Bridge Year Pilot Program provides an equal opportunity for students with disabilities to succeed. The commenter suggested that students with disabilities could be allowed to complete the spring semester in their host school or that the school district could provide the IEP-required supports for the student at the community college. (3)

Response: New N.J.A.C. 6A:8-6.6(a) requires the bridge year liaison to develop, in consultation with the student, an ILP for each student pursuing a bridge year. New N.J.A.C. 6A:8-6.6(a)1, as changed upon adoption, allows the bridge year liaison to confer with a multidisciplinary team of professionals with knowledge of the student's educational, behavioral, emotional, social, and health needs. For students with disabilities, the multidisciplinary team must include the student's IEP team. The ILP will include accommodations recommended by the multidisciplinary team. The accommodations must be implemented to support a student with disabilities and alleviate barriers to learning. Support services are available to students with disabilities at community colleges through offices of disability services. The offices of disability services assist students with a learning, psychological, or physical disability that may require individualized accommodations to access programs and support academic goals. Students must contact the office of disability services at their community college for guidance on requesting accommodations; therefore, the requested amendment at new N.J.A.C. 6A:8-6.7(c) is not necessary.

11. Comment: The commenter asked whether N.J.A.C. 6A:8-6.7(d) allows a student in a bridge year to take up to three credits at an institution of higher education in both the

spring and the fall semesters. (4)

Response: New N.J.A.C. 6A:8-6.7(d) allows students to take, during the fall or spring semester of the bridge year, up to three credits offered by a four-year institution of higher education at any high school in the State or at any other location to fulfill the student's credit requirements.

12. Comment: The commenter asked if N.J.A.C. 6A:8-6.8 allows students in a bridge year to participate in non-athletic extracurricular activities in only the spring, as with athletics, or if students can participate in non-athletic extracurriculars in both the fall and spring semesters. (4)

Response: New N.J.A.C. 6A:8-6.8(a) allows a student in a bridge year to participate in a spring sport sanctioned by the New Jersey State Interscholastic Athletic Association (NJSIAA) and extracurricular activities at the host high school. Participation in an NJSIAA-sanctioned sport is allowed only in the spring; participation in extracurricular activities is allowed in both the fall and spring.

13. Comment: The commenter inquired about the obligation of the school district to provide transportation to students who participate in the Bridge Year Pilot Program. (4)

Response: The host high school is responsible for providing transportation in accordance with N.J.A.C. 6A:27, Student Transportation, and N.J.S.A. 18A:39-1 et seq.

14. Comment: The commenter inquired whether an approved private school for students with disabilities (APSSD) or out-of-district school in which the student is placed becomes the "host high school" for purposes of the proposed rules. (4)

Response: Pursuant to P.L. 2020, c. 41, the host high school is the high school the bridge

year student attended as a junior. If a student attended an APSSD or other out-of-district placement in their junior year, that school would be the host high school.

15. Comment: The commenter asked if the host high school is obligated to transport a student in a bridge year to “any high school in the State or at any other location” to fulfill the credit requirements. The commenter also asked if there is a mileage limit if the host high school is obligated to provide transportation pursuant to this rule. (4)

Response: Pursuant to N.J.S.A. 18A:39-1, the host high school is responsible for providing transportation to the bridge year student for attendance at the county college or at an institution of higher education anywhere in the State with no mileage limit. The host high school is not obligated to provide transportation to any high school in the State other than an APSSD or out-of-district placement.

Federal Standards Statement

There are no Federal requirements that impact the adopted new rules.

Full text of the adopted new rules follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks ***[thus]***):

Subchapter 6. Bridge Year Pilot Program

6A:8-6.6 Individual learning plans

- (a) The host high school’s bridge year liaison shall develop, in consultation with the student, an individual learning plan (ILP) for each student pursuing a bridge year.
1. The bridge year liaison ***[shall consider conferring]*** ***may confer*** with a multi-disciplinary team of professionals with knowledge of the student’s educational,

behavioral, emotional, social, and health needs. For students with a disability, the multi-disciplinary team shall include the student's IEP team.

2. (No change from proposal.)

(b) – (e) (No change from proposal.)