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## SPECIAL EDUCATION

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the district board of education shall adopt and assure compliance with the following policies:

Policy #1: All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3.

Policy #2: Homeless students are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §11431 et seq.

Policy #3: Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

Policy #4: An individualized education program is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

Policy #5: To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

Policy #6: Students with disabilities are included in statewide and districtwide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All students with disabilities will participate in statewide assessments or the applicable Alternate Proficiency Assessment, in grades 3, 4, 5, 6, 7, 8 and 11 in accordance with their assigned grade level.

Policy #7: Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent, when appropriate.

Policy #8: A free appropriate public education is available to all students with disabilities between the ages of three and 21, including students with disabilities who have been suspended or expelled from school.

1. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student's third birthday and that an individualized education program (IEP) is in effect for the student by that date;
2. If a child's third birthday occurs during the summer, the child's IEP team shall determine the date when services under the IEP will begin;

3. A free, appropriate public education is available to any student with a disability who is eligible for special education and related services, even though the student is advancing from grade to grade;
4. The services and placement needed by each student with a disability to receive a free, appropriate public education are based on the student's unique needs and not on the student's disability; and
5. The services and placement needed by each student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student's home as possible, and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.

Policy #9: Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

Policy #10: Full educational opportunity to all students with disabilities is provided.

Policy #11: The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

Policy #12: Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

Policy #13: Students with disabilities who are placed in private schools by the district board of education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

Policy #14: All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law.

Policy #15: The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The district board of education shall maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;

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2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
  3. Acquire and disseminate to teachers, administrators, school board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
  4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
  5. Provide for joint training activities of parents and special education, related services and general education personnel.

Policy #16: Instructional materials will be provided to blind or print-disabled students in a timely manner.

Policy #17: For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent to apply for such services.

Policy #18: When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14.

Policy #19: The school district will provide teacher aides and the appropriate general or special education teaching staff for consultation on a regular basis as specified in each student's IEP.

Policy Adopted: August 21, 1990  
Policy Revised: April 5, 1999  
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Policy Revised: April 14, 2009