

2460 SPECIAL EDUCATION SERVICES

The South Orange ~~and~~ Maplewood Board of Education ~~assures, recognizes its responsibility to assure~~ compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1 et seq. Furthermore, the Board ~~directs the Superintendent to develop and implement~~ will have programs and procedures in effect to ensure the following:

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. A free appropriate public education according to N.J.A.C. 6A:14-1.1(b)1 is available to all pupils with disabilities between the ages of three (3) and twenty one (21), including pupils with disabilities who have been suspended or expelled from school.~~

~~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;
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;
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;
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
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.~~

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.~~

~~2. — Full educational opportunity to all pupils with disabilities is provided.~~

3. ~~All pupils~~ Students with disabilities who are in need of Special Education Services and related services, including pupils with disabilities attending non-public schools, regardless of the severity of their disabilities, ~~are located, identified and evaluated~~ according to N.J.A.C. 6A: 14-3.3 et seq. 2.5 and 3.4

~~4. — 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.~~

54. An Individualized Education Program (IEP) is developed, reviewed, and as appropriate, revised according to N.J.A.C. 6A: 14-3.6 and 3.7.

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

76. ~~Pupils~~ Students with disabilities are included in State-wide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-1.10. All students with

~~disabilities will participate in Statewide assessments of the applicable alternative assessment in grades three, four, five, six, seven, eight, and high school in the applicable courses, afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq including appointment of a surrogate parent, when appropriate. The district will also disseminate a copy of the procedural safeguards statement to parent training and information centers, protection and advocacy agencies and other appropriate agencies to ensure that compliant procedures are widely disseminated to parents and other individuals;~~

~~8. Pupils with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.~~

~~7. Students with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent as set forth in N.J.A.C. 6A:14-2.2 and Policy 2467, when appropriate.~~

~~8. The rules set forth in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all students with disabilities between the ages of three and twenty-one, including students with disabilities who have been suspended or expelled from school:~~

~~a. 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;~~

~~b. 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;~~

~~c. A free appropriate public education is available to any student with a disability who needs special education and related services, even though the student is advancing from grade to grade;~~

~~d. 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~~

~~e. 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.~~

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~~9. The compilation, maintenance, access to and confidentiality of pupil records are in accordance with N.J.A.C. 6:3-6A:32-7.~~

~~109. Children with disabilities participating in Early Intervention Programs (EIP) assisted under IDEA Part C who will participate in pre-school programs under N.J.A.C. 6a:14 this chapter will experience a smooth transition, and have an IEP 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.~~

~~10. Full educational opportunity to all students with disabilities is provided.~~

~~11. The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6:3-6A:32-7.~~

~~112. Provision is made for the participation of pupils-students with disabilities who are placed by their parent(s) or legal guardian(s)/guardian(s) in non-public schools according to N.J.A.C. 6A:14-6.1 and 6.2.~~

132. ~~Pupils-Students~~ with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s)/guardian(s) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.
134. All personnel serving ~~pupils-students~~ with disabilities are highly qualified and appropriately certified and licensed, where a license is required in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.
145. Pursuant to N.J.A.C. 6A:14-1.2(b)4, ~~t~~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 shall maintain information to demonstrate its efforts to:
- a. Prepare general and Special Education Services personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;
 - b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of pupils with disabilities that impedes the learning of ~~pupils-students~~ with disabilities and others;
 - c. Acquire and disseminate to teachers, administrators, school Board members and related services personnel, significant knowledge derived from educational research and other sources on how the district ~~shall~~will, if appropriate, adopt promising practices, materials and technology;
 - d. ~~E~~nsure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
 - e. Provide for joint training activities of parent(s) ~~or legal-guardian(s)-/guardian(s)~~ and ~~s~~Special ~~E~~ducation ~~S~~ervices, related services and general education personnel.
- ~~15. Pupils with disabilities are included in statewide and district-wide 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.~~
16. Instructional materials will be provided to blind or print-disabled students in a timely manner, consistent with a plan developed by the district.
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 ~~Developmentally Disabled~~ Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent/guardian to apply for such services.

18. ~~When~~ The school district will accept the use of ~~utilizes~~ electronic mail from parent(s)/guardian(s); ~~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. The parent(s)/guardian(s) ~~If this is permitted, parents~~ shall be informed of the procedures to access the electronic mail system. The parent(s)/guardian(s) ~~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-~~1.2(b)~~18.

19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP, pursuant to N.J.A.C. 6A:14-4.5(d).

20. The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services as required by N.J.A.C. 6A:14-3.7(c)4.

21. The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq. and Policy 5339.

The school district shall provide an Assurance Statement ~~This policy will be submitted~~ to the County Office of Education that the Board of Education has adopted the required special education policies and procedures/regulations and the district is complying with the mandated policies and procedures/regulations. for approval as required in N.J.A.C. 6A:14-1.2(b) and the district will submit a written assurance of compliance with numbered paragraphs 1 through 19 above as required in NJAC 6A:14-1.2(c).

N.J.A.C. 6A:14-~~1~~ et seq.
20 U.S.C. § 1400 et seq.
34 C.F.R. § 300 et seq.

Cross References: 2460.4, 2460.2

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