

# Policy

210 (2460)

## Board of Education Nutley

### 2460 SPECIAL EDUCATION

The following is a listing of special education policies:

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| 2460.1  | Free Appropriate Public Education   |
| 2460.2  | Full Educational Opportunity  |
| 2460.3  | Location, Identification and Referral   |
| 2460.4  | Individualized Education Program (IEP), Reevaluation and Related Services         |
| 2460.5  | Placement in Least Restrictive Environment  |
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| 2460.14 | Participation in State-Wide and District Wide Assessment                          |

The following definitions shall apply to all special education policies:

#### Definitions

Words and terms, unless otherwise defined below, when used in this chapter, shall be defined in the same manner as those words and terms used in the Individuals with Disabilities Education Act (IDEA).

"Adaptive behavior" means the ability to demonstrate personal independence and social responsibility according to age and social-cultural group expectation.

"Adult pupil" means an emancipated minor or a person age eighteen through twenty-one, who is or was enrolled in the public school and who is not under legal guardianship.

"Approved private school for the disabled" corresponds to "approved private school for the handicapped," means an incorporated entity approved by the New Jersey Department of Education according to N.J.A.C. 6A: 14-7.2 or 7.3 to provide special education and related services to pupils with disabilities placed by the district Board of Education responsibilities for providing their education.

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"Adult pupil" means an emancipated minor or a person age eighteen through twenty-one, who is or was enrolled in the public school and who is not under legal guardianship.

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"Assertive technology device" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities.

"Assistive technology service" means any service that directly assists a pupil with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

1. The evaluation of the needs of a pupil with a disability, including a functional evaluation of the pupil in his or her customary environment;
2. Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by pupils with disabilities;
3. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing or replacing assistive devices;
4. Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
5. Training or technical assistance for a pupil with a disability or, if appropriate, that pupil's family; and
6. Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers or other individuals who may provide services to, employ, or are otherwise substantially involved in the major life functions of pupils with disabilities.

"Board of Education" means the school district of residence, the Board of trustees of charter school, the State agency or other public education agency which acts as the school district of residence for the location, identification, evaluation, determination of eligibility, development of Individualized Education Program and the

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provision of a free appropriate, public education to pupils with disabilities except as defined otherwise.

"Consent" means agreement in writing, which is, requires by this chapter. Consent shall be obtained from the parent (s), legal guardian (s) and/or the adult pupil having legal responsibility for educational decision making. The district Board of Education shall ensure that the parent (s), legal guardian (s) and/or adult pupil:

1. Has been fully informed of all information relevant to the activity for which consent is being sought, in his or her native language or other mode of communication;
2. Understands and agrees in writing to the implementation of the activity; and
3. Understands that the granting of consent is voluntary and may be revoked at any time.

"Department of Education" means the New Jersey State Board of Education, The Commissioner of Education or his or her designee.

Individualized Education Program (IEP) means a written plan developed at a meeting according to N.J.A.C. 6A: 14-2.3(h) 2 which sets forth present levels of performance, measurable annual goals and short-term objectives or benchmarks and describes an integrated, sequential program of individually designed instructional activities and related services necessary to achieve the stated goals and objectives. This plan shall establish the rationale for the pupil's educational placement, serve as the basis for program implementation and comply with the mandates set forth in this chapter.

"IEP Team" means the group of individuals who are responsible for the development, review and revision of the pupil's Individualized Education Program. The members of the IEP Team are listed at N.J.A.C. 6A: 14-2.3(h).

"Native language" means the language or mode of communication normally used by a person with a limited ability to speak or understand the English language.

"Nonpublic school" means an elementary or secondary school, other than a public school, within the State, providing education in grades in which a pupil age five through twenty may fulfill compulsory school attendance and which complies with Title VI of the Civil Rights Act of 1964 (P.L. 88-352).

"Nonpublic school pupil" means any pupil who is enrolled full time in a nonpublic school. A pupil who boards at a nonpublic school shall be considered a resident of the

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New Jersey school district in which the parent (s), legal guardian (s) and/or the adult pupil resides

"Parent" means the natural parent, the legal guardian, foster parent, surrogate parent, person acting in the place of the parent such as the person with whom the pupil legally resides and/or a person legally responsible for the pupil's welfare. Unless parental rights have been terminated by a court or appropriate jurisdiction, the natural parent retains all rights under this chapter.

"Pupil" means a person age three through twenty-one who is entitled to receive educational programs and services in accordance with federal or State law or regulation.

"Pupil age" means the school age of a pupil defined by the following:

1. "Age three," means the attainment of the third birthday. Children attaining age three shall have a free appropriate public education available to them provided by the district Board of Education.
2. "Age five," means the attainment of age five by the month and day established as the kindergarten entrance cutoff date by the Board of Education. Pupils with disabilities attaining age five after the kindergarten entrance cutoff date shall continue to be provided preschool services for the balance of that school year.
3. "Age 21" means the attainment of the twenty-first birthday by June 30 of that school year. Pupils with disabilities attaining age twenty-one during the school year shall continue to be provided services for the balance of that school year.

"Pupils with a disability" means a pupil who has been determined to be eligible for special education and related services according to N.J.A.C. 6A: 14-3.5 or 3.6.

"Recreation" for pupils with disabilities means instruction to enable the pupil to participate in appropriate leisure activities, including involvement in recreation programs offered by the district Board of Education and the facilitation of a pupil's involvement in appropriate community recreation program.

"Referral" means the written request for an initial evaluation to determine whether a pupil is eligible for services under this chapter.

"Related services" means transportation and such developmental, corrective, and other supportive services as are required to assist a pupil with a disability to benefit from special education as specified in the pupil's IEP, and includes speech-language

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pathology and audiology services psychological services, physical and occupational therapy disabilities in children, counseling services including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purpose. The term also includes school-nursing services, social work services in schools and parent and/or legal guardian counseling and training that is related to the education of the pupil.

"Special education" means specially designed instruction to meet the educational needs of pupils with disabilities including, but not limited to, subject matter instruction physical education and vocational training.

"Speech-language specialist" means a speech correctionist or speech-language specialist.

"Transition services" means a coordinated set of activities for a pupil, designed within an outcome-oriented process, that promotes movement from school to post-school activities, including post secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.

N.J.S.A. 18A: 18A: 46-1 et seq.

N.J.S.A. 1:6A-1.1 et seq.

N.J.S.A. 6A: 14-1 et seq.

20 U.S.C. S1400 et seq.

SPECIAL EDUCATION - FREE APPROPRIATE  
PUBLIC EDUCATION

The Board of Education shall provide all pupils with disabilities, including pupils with disabilities who have been suspended or expelled from school, a free appropriate public education in accordance with the standards set under the Individuals with Disabilities Education Act (IDEA), (20 U.S.C. S1400 et seq.) Programs and services shall be provided to pupils age three through twenty-one. The Board shall provide information regarding services available through other State, county and local agencies to parent (s), legal guardian (s), and/or the adult pupil of children with disabilities below age three through twenty-one shall be provided at public expense, under public supervision and with no charge to the parent (s), legal guardian (s), and/or the adult pupil. Special education and related services to pupils with disabilities age three through twenty-one shall be administered, supervised and provided by appropriately certified and professional staff members and be located in facilities that are accessible to the disabled. All special education programs and services provided under this chapter shall be subject to review and approval by the New Jersey Department of Education. The special education staff of the school district shall maintain documentation demonstrating compliance with IDEA, N.J.A.C. 6A:14.1 et seq, and with all Board policies and school district regulations pertaining to special education.

Pupils with disabilities educated by the school district shall be placed in facilities or programs which have been approved by the New Jersey Department of Education in accordance with N.J.S.A. 18A:46-14 and 15. The school district special education staff shall ensure hearing aids worn by children who are deaf and/or hard of hearing are functioning properly.

The school district is eligible for assistance, under the IDEA Part B, for a fiscal year by having a special education plan in effect that is approved by the New Jersey Department of Education through its County Office of Education. The plan shall consist of policies, procedures, assurances; a comprehensive system of personnel development; data collection and an application that describes the use of the Part B funds. Such components of the plan shall be consistent with the approved State Plan for Special Education and N.J.A.C. 6A:14.1 et seq.

The Superintendent shall provide written assurance of the school district's compliance with the policies, procedures and program requirements of N.J.A.C. 6A:14-1.2. Annually, the Superintendent shall describe how the school district will use the funds under Part B of the IDEA during the next school year and the school district shall submit a report of the numbers of pupils with disabilities according to their federal disability category, age, racial-ethnic background, and placement, a report of the staff, including contracted personnel, providing

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services to identify, evaluate, determine eligibility, develop Individualized Education Programs (IEP), provide related services and/or instruction to pupils with disabilities and the full-time equivalence of their assignments and relevant information on current and anticipated personnel vacancies and shortages; and any additional reports as required by the IDEA (20 U.S.C. S1400 et seq.) including, but not limited to, the number of pupils with disabilities who are existing education, subject to suspensions and expulsions; removed to interim alternatives education settings, and participating in Statewide assessment. Upon request, reports in addition to those in this policy shall be submitted to the New Jersey Department of Education including, but not limited to, the number of pupils with disabilities by racial-ethnic group identified as potentially disabled, evaluated and newly classified.

The approved special education plan submitted by the school district of residence shall remain in effect until the County Office of Education approves such amendments as the school district of residence deems necessary unless the provisions of the IDEA 1997, other regulations are amended, or if there is a newly legally binding interpretation of IDEA by federal or State courts, or if there is an official finding of noncompliance circumstances the New Jersey Department of Education shall require the school district to modify its special education plan only to the extent necessary to ensure compliance with federal and/or State requirements.

The Superintendent directs the implementation of statutes, rules of the State Board of Education, and related policies and regulations regarding programs and services for children with disabilities.

N.J.S.A. 18A:46-1 et seq.  
N.J.S.A. 1:6A-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

SPECIAL EDUCATION – FULL EDUCATIONAL OPPORTUNITY

General Requirements – Program and Instruction – N.J.A.C. 6A:14-4.1

The Board of Education shall provide educational programs and related services for pupils with disabilities required by the Individualized Education Program (IEP) of those pupils for whom the Board is responsible. Any proposal to establish, change or eliminate special education programs or services shall be approved by the New Jersey Department of Education through its County Office of Education. The length of the school day and academic year for pupils with disabilities shall not be less than a day and a year established for non-disabled pupils. When the IEP does not describe any restrictions, the pupil shall be included in the regular school program.

When a pupil with a disability transfers from another New Jersey school district or from an out-of-state school district, the Child Study Team (CST) shall conduct an immediate review of the evaluation information and the IEP.

The Board, through appropriate personnel, shall establish and implement a plan to evaluate special education programs and services in accordance with N.J.S.A. 18A:7A-10, 11, 14, and 14.1 and N.J.A.C. 6A:14 et seq

Program Options- N.J.A.C. 6A:14-14.3

A full continuum of alternative placements shall be available to meet the needs of pupils with disabilities age three through twenty-one for special education and related services. The IEP team shall consider all relevant factors in determining the need for an extended school year program.

A preschool age pupil with a disability may be placed in an early childhood operated by an agency other than another Board program. Such an early education program must be licensed or approved by a governmental agency, the program must be nonsectarian, and there must be assurances the pupil's IEP can be implemented in the early childhood program with supplementary aids and services that are specified in the IEP. The special education and related services that are specified in the pupil's IEP shall be provided by appropriately certified and/or licensed personnel or by paraprofessionals in accordance with N.J.A.C. 6A:14-3.9 (a) 4 or 4.1 (e).

Program Criteria – Speech-Language Services – N.J.A.C. 6A:14-4.4

Speech-language services provided to a pupil with a disability shall be in addition to the regular instructional program and shall be given individually or in groups. The size and the composition of the group shall be determined by the

IEP team in accordance with the speech-language needs of the pupil and shall not exceed five pupils. These services shall be provided by certified speech-language specialists in as defined in N.J.A.C. 6A:14-1.3.

**Program Criteria –Supplementary Instruction - N.J.A.C. 6A:14-4.5**

Supplementary instruction shall be provided to the pupil with disability in addition to the primary instruction for the subject being taught. The program of supplementary instruction shall be specified in the pupil's IEP, and shall be offered in a regular class and/or a pullout resource program.

**Program Criteria- Special Class Programs – N.J.A.C. 6A:14-4.6**

The Resource Programs shall offer individual and small group instruction to pupils with disabilities. Resource programs shall be offered in regular class and/or a pullout resource program.

**Program Criteria – Special Class Programs, Secondary, and Vocational Rehabilitation – N.J.A.C. 6A:14-4.7**

A special class program shall serve pupils who have similar educational needs in accordance with their IEP and standards unless the IEP specifies an alternative curriculum due to the nature or severity of the pupil's disability. The regular education curriculum and the instructional strategies may be modified based on the pupil's IEP. The teacher, depending upon the disability of the pupil, must hold a certification as a teacher of the handicapped, teacher of the blind or partially sighted and/or teacher of the deaf or hard of hearing. The age span in special class programs shall not exceed four years and a special class program shall not be approved as a kindergarten.

**Program Criteria – Home Instruction – N.J.A.C. 6A:14-4.8**

The IEP of a pupil with a disability may be implemented by one to one instruction, at home or in another appropriate setting, when it can be documented that all other less restrictive program options have been considered and have been determined inappropriate. Prior written approval to provide home instruction must be obtained from the New Jersey Department of Education through the County Office of Education for a maximum of sixty calendar days. Instruction shall be provided for no fewer than ten hours per week in no fewer than three visits by a certified teacher on at least three separate days and N.J.A.C. 6A:14-4.9 (a)2, 3, and 4 shall apply.

**Home Instruction Due to Temporary Illness or Injury for Pupils With or Without Disabilities – N.J.A.C. 6A:14-4.9**

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Instruction shall be provided for no fewer than five hours per week in no fewer than three visits by certified teacher on at least three separate days. Instruction shall be provided at the pupil's place of confinement. If the pupil is confined to a hospital, convalescent home, or other medical institution, instruction shall be provided by the school district, an Educational Services Commission or an approved clinic or agency at the pupil's place of confinement.

Instruction may be provided by direct communication to a classroom program by distance learning devices. If so provided, such instruction shall be provided in addition to the one to one or small group instruction. Pupils shall receive a program that meets all the requirements of the school district for promotions and graduation. For pupils with disabilities, the school district shall provide a program that is consistent with the pupil's IEP to the extent appropriate. When the provision of home instruction shall exceed thirty consecutive school days in a school year, the IEP Team shall convene a meeting to review and if appropriate, revise the pupil's IEP and when a nondisabled pupil is confined at home or in the hospital by a physician for more than sixty calendar days, the school physician shall refer the pupil to the CST in accordance with the N.J.A.C. 6A:14-3.3(e)

Exception – N.J.A.C. 6A:14-4.10

Exceptions for the age range and group sizes specified in N.J.A.C. 6A:14-4.4 through 4.7 shall be granted on an individual basis with prior written approval of the New Jersey Department of Education through the County Office of Education and for a period not to exceed one year. The County Office of Education shall either approve or deny the request. If a request for an exception is denied, the school district shall implement the IEP.

The parent (s), legal guardian (s), of a pupil and/or the adult pupil with a disability, for whom the exception is requested, and the parent (s), legal guardian (s), of the pupil and/or the adult pupil who are affected by the request for an exception shall be informed by the school district that such a request is being submitted to the County Office of Education. Upon approval of the exception by the County Office of Education, the school district or the appropriate education agency shall inform the parent (s), legal guardian (s) of the pupils with disabilities and/or the adult pupil who is/are affected by the exception.

N.J.S.A. 18A:46-1 et seq.  
N.J.S.A. 1:6a-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

SPECIAL EDUCATION-LOCATION, IDENTIFICATION  
AND REFERRAL

Location, Referral and Identification – N.J.A.C.6A:14-3.3

This policy shall apply to pupils age three through twenty-one, including pupils that attend nonpublic schools, who reside within the school district. This policy and its accompanying regulation include procedures to locate pupils experiencing physical, sensory, communication, cognitive or social difficulties. Teaching staff members, administrative staff and other professional staff of the school district shall be informed of the referral process that may identify pupils who are experiencing physical, sensory, emotional, communication, cognitive, or social difficulties.

Determination of Eligibility for Special Education and Related Services – N.J.A.C. 6A:14-3.5

When an initial evaluation is completed for a pupil age three through twenty-one, a meeting in accordance with N.J.A.C. 6A:124-2.3 ( i ) 1 shall be convened to determine whether the pupil is eligible for special education and related services. A copy of the evaluation reports (s) and documentation of eligibility shall be given to the parent (s), legal guardian (s) and/or the adult pupil. If eligible, the pupil shall be assigned the classification "eligible for special education and related services." Eligibility shall be determined collaboratively by the participants describes by N.J.A.C. 6A:14-2.3 ( i ) 1. Classification shall be based on all assessment by the Child Study Team (CST) members and assessment by other specialists as specified in N.J.A.C. 6A:14-3.5c1-13

Determination of Eligibility for Speech-Language Services – N.J.A.C. 6A:14-3.6

Eligible for speech-language services means a speech and/or language disorder in one or more of the following areas: articulation/phonology, fluency voice, or any combination unrelated to dialect, cultural differences or the influence of a foreign language which adversely affects a pupil's educational performance and/or a language disorder which meets the criteria of N.J.A.C. 6A:14-3.5 ( c ) 4 and the pupil requires speech language services only. The only evaluation of a speech disorder shall be conducted in accordance with N.J.A.C. 6A:14-3.4 ( e ).

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When the initial speech-language evaluation is completed, classification shall be determined collaboratively by the participants at a meeting in accordance with N.J.A.C. 6A:14-2.3 ( i ) 1. A copy of the evaluation report (s) and documentation of eligibility shall be given to the parent (s), legal guardian (s) and/or the adult pupil. The Individual Education Program (IEP) shall be developed in a meeting in accordance with N.J.A.C. 6A:14-2 (i) 2. When a pupil has been determined eligible for speech-language service and other disabilities are suspected or other services and other disabilities are suspected or other disabilities are suspected or other services are being considered, the pupil shall be referred to the CST.

N.J.S.A. 18A:46-1 et seq.  
N.J.S.A. 1:6A-1 et seq.  
N.J. S.A 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

SPECIAL EDUCATION-INDIVIDUALIZED EDUCATION  
PROGRAM (IEP), REEVALUATION AND RELATED SERVICES

Individual Education Program – N.J.A.C. 6A: 14-3.7

A meeting to develop the Individual Education Program (IEP) shall be held within thirty calendar days of a determination that a pupil is eligible for special education and related services or for speech-language services. An IEP shall be in effect before special education and related services are provided to a pupil with a disability and such IEP shall be implemented as soon as possible following the IEP meeting. At the beginning of each school year, the school district shall have in effect an IEP for every pupil who is receiving special education and related services from the school district. The IEP shall be developed by the IEP Team in accordance with N.J.A.C. 6A:14-2.3 (i) 2 for pupils classified eligible for special education and related services or in accordance with N.J.A.C. 6A:14-3.6 (d) for pupils classified eligible for speech language services.

Reevaluation – N.J.A.C. 6A:14-3.8

Within three years of the previous classification, a multi-disciplinary reevaluation shall be completed to determine whether a pupil continues to be a pupil with a disability. Reevaluation shall be conducted sooner, without undue delay, if conditions warrant or if the pupil's parent (s), legal guardian (s), and/or the adult pupil, or the teacher requests the reevaluation. The IEP Team shall determine the nature and scope of the reevaluation. The IEP Team shall review existing data in accordance with: N.J.A.C. 6A:14-3.5 (c). or 3,6 (a). If the IEP Team determines no additional data are needed to determine whether the pupil continues to have a disability, the school district shall provide notice to in accordance with N.J.A.C. 6A:14-2.3 (e) and (f) to the parent (s), legal guardian (s), and/or the adult pupil with a disability. Prior to conducting any reevaluation of a pupil with a disability, consent from the parent(s), legal guardian (s), and/or the adult pupil shall be obtained.

If the reevaluation is warranted, the IEP Team shall determine which Child Study Team (CST) members and/or specialists shall conduct the reevaluation. A reevaluation shall be conducted when a change in eligibility is being considered. When a reevaluation is completed, a meeting of the pupil's IEP Team in accordance with N.J.A.C. 6A:14-2.3 (i)

2 or 3.6(c) shall be conducted to determine whether the pupil with a disability. A copy of the evaluation reports and documentation of eligibility shall be provided to the parent (s), legal guardian (s), and/or adult pupil. If the pupil remains eligible, an IEP Team meeting in accordance with N.J.A.C. 6A:14-2.3 (i) 2 or 3.6 (d) shall be conducted to review and revise the IEP.

Related Services – N.J.A.C. 6A:14-3.9

Related services shall be provided to a pupil with a disability when required for the pupil to benefit from the educational program. Related services shall be provided by appropriately certified and/or licensed professional in accordance with the pupil's IEP. School personnel may give advice to parent (s), legal guardian (s), and/or the adult pupil regarding additional services that are not required by law. This advice places no obligation on the Board of Education to provide or fund such services.

N.J.S.A. 18A:46-1 et seq.  
N.J.S.A. 1:6A-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

SPECIAL EDUCATION-PLACEMENT IN LEAST RESTRICTIVE  
ENVIRONMENT

Placement in Least Restrictive Environment - N.J.A.C. 6A:14-4.2

Pupils with disabilities shall be educated in the least restrictive environment. The Board of Education shall ensure that to do the maximum extent appropriate, a pupil with a disability is educated with children who are not disabled. The Board shall ensure that special classes, separate schooling or other removal of a pupil with a disability from the pupil's regular class occurs only when the nature of the severity of the disability is such that education of the pupil in a regular class with the use of appropriate supplemental aids and services cannot be achieved satisfactorily. The Board shall further ensure a full continuum of alternative placement of a pupil with a disability is determined at least annually. Consideration shall be given whether the pupil can be educated satisfactorily in a regular classroom with supplementary aids and services. A comparison of the benefits provided in a regular class shall be considered. The potentially beneficial or harmful effects which a placement may have on the pupil with a disability or the other pupils in the class shall also be considered.

N.J.S.A. 18A: 46-1 et seq.  
N.J.S.A. 1:6A-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

SPECIAL EDUCATION – PROCEDURAL SAFEGUARD

Parental Consent, Notice, Participation and Meeting- N.J.A.C. 6A:14-2.3

The consent of parent (s), legal guardian (s) and /or the adult pupil shall be obtained prior to an initial evaluation to determine if a pupil has a disability and prior to the implementation of the initial Individualized Education Program (IEP) and reevaluation. Prior to the release of pupil records in accordance with N.J.A.C. 6:3-6 the consent of the parent (s), legal guardian (s) and/or the adult pupil shall be obtained. Consent is not required prior to reevaluation if the school district administration can demonstrate that it has taken reasonable measures to obtain such consent and the parent(s), legal guardian (s) and/or the adult pupil failed to respond. In the event that a pupil's parent (s), legal guardian (s) and/or the adult pupil cannot be identified in accordance with N.J.A.C. 6A:14-3.3, located after reasonable efforts, or the pupil is a ward of the State of New Jersey, the Superintendent of Schools shall appoint an individual to act as surrogate for the parent (s), legal guardian (s) and/or the adult pupil in accordance with N.J.A.C. 6A:14-2.2.

Written notice shall be provided to the parent(s), legal guardian(s) and/or the adult pupil when the school district administration proposes or declines to initiate or change the identification, classification, evaluation, or educational placement of the pupil or the provision of a Free Appropriate Public Education to the pupil. Written notice to the parent (s), legal guardian (s) and/or the adult pupil and parent conferences required by N.J.A.C. 6A:14 shall be conducted in the language used for communication by the parent (s), legal guardian (s) and/or the adult pupil unless it is clearly not feasible to do so. Upon receipt of any written parental, legal guardian and/or the adult pupil request to initiate or change the identification, classification, evaluation, and/or educational placement of a pupil, or the provision of a Free Appropriate Public Education for the pupil, a response that meet the requirement of written notice shall be provided to the parent (s), legal guardian (s) and/or the adult pupil within twenty calendar days, excluding school holidays, but not summer vacation. The Board of Education shall take steps to ensure the parent (s), legal guardian (s) and/or the adult pupil is given the opportunity to participate in the identification and evaluation of the pupil and the development and review of the IEP.

An initial eligibility meeting shall be conducted for pupils classified, in accordance with N.J.A.C. 14-3.5c.

Protection in Evaluation Procedures- N.J.A.C 6A:14-2.5

In conducting evaluation, staff shall use a variety of assessment tools and strategies to gather relevant functional and developmental information. The

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Superintendent shall ensure that evaluation procedures are in accordance with N.J.A.C. 6A:14-3.4. A parent (s), legal guardian (s) and /or the adult pupil may request an independent evaluation if there is a disagreement with a evaluation provided by the school staff. Such evaluation shall be provided at no cost to the parent (s), legal guardian (s) and /or the adult pupil unless the school district initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. Any independent evaluation purchase at public expense shall be conducted in accordance with N.J.A.C. 6A:14-3.4 and must be obtained from another public school district, and Educational Services Commission, a Jointure Commission or a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is certified and /or licensed. Upon receipt or parental, legal guardian and/or the adult pupil request, the Board shall provide information about where an independent evaluation may be obtained in accordance with N.J.A.C. 6A:14-5.1 (e).

Mediation – N.J.A.C. 6A:14-2.6

Mediation is a voluntary process available to resolve disputes that arise from the implementation of statutes and rules of the New Jersey State Board of Education. Mediation is available for pupils age three through twenty-one when there is a disagreement regarding identification, evaluation, classification, educational placement or the provision of a free appropriate education. A request for mediation shall not be used to deny or delay the right to request a due process hearing. If either party is unwilling to participate in mediation, a request for a formal due process hearing under N.J.A.C. 6A:14-2.7 may be made directly to the New Jersey Department of Education through the Office of Special Education Programs.

The parent (s), legal guardian (s) and/or the adult pupil who chooses not to use the mediation process must meet with a State mediator or discuss the benefits of mediation. The meeting may take place by telephone or through the use of electronic conference equipment.

If mediation results in agreement, the conclusions shall be incorporated into a written agreement signed by each party. If mediation does not result in agreement, the mediator shall document the date and the participants at the meeting.

No other record of the mediation shall be made. Discussions that occur during the mediation process shall be confidential and shall not be used as evidence in any subsequent due process hearing or civil proceedings. Pending the outcome of mediation, no change shall be made to the pupil's classification, program, or placement, unless both parties agree, or emergency relief as part of

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a request for due process hearing is granted by the Office of Administrative Law (OAL) in accordance with N.J.A.C. 6A:14-2.7 (g), or as provided in 20 U.S.C. section 1415(k) (7).

**Due Process Hearings – N.J.A.C. 6A:14-2.7**

A due process hearing is an administrative hearing conducted by an Administrative Law Judge (ALJ). For a pupil age three through twenty-one, a due process hearing may be requested when there is a disagreement regarding identification, classification, evaluation or educational placement and/or the provision of a free appropriate public education to that pupil. For pupils above the age of twenty-one, any disputes regarding the provision of program and services to these pupils shall be handled as a contested case before the Commissioner of Education pursuant to N.J.A.C. 6:24. The Board or public agency responsible for development of the pupil's IEP may request a due process hearing when it is unable to obtain required consent to conduct an initial evaluation, implement and initial IEP, and/or release pupil records. The school district shall request a due process hearing when it denies a written parental, legal guardian, and/or adult pupil request for an independent evaluation in accordance with N.J.A.C. 6A:14-2.5 c.

Subject to adjournments granted by the ALJ, a final decision shall be rendered not later than forty-five days after receipt of the request for a hearing. The decision of the ALJ is final, binding on both parties and to be implemented without delay, unless stayed in accordance with N.J.A.C. 1.6A-18.4.

Either party may apply in writing for emergency relief as part of a request for a hearing, or at any time after such request in accordance N.J.A.C. 1.6A-12.1. Pending the outcome of a due process hearing or any administrative or judicial proceeding, no change shall be made to the pupil's classification, program, or placement unless both parties agree or emergency relief as a part of a request for a due process hearing is granted by the OAL pursuant to State statutes, regulations, or as provided in 20 U.S.C. section 1415 (k) (7). Any party may appeal the decision of the OAL in accordance with N.J.A.C. 1.6A-18.3.

**Discipline/Suspension/Expulsion – N.J.A.C. 6A:14-2.8**

For disciplinary reasons, school officials may order the removal of a pupil with a disability from his or her current educational placement to an interim alternative educational setting, another setting, or a suspension without the provision of educational services for up to ten consecutive or cumulative school days in a school year. Such suspensions are subject to the same school district procedures as nondisabled pupils. However, at the time of removal, the building principal shall forward written notification and a description of the reasons for

such action to the case manager. Disciplinary action initiated by the school district involves removal to and interim alternative educational setting suspension of more than ten consecutive or cumulative school days in a school year or expulsion of a pupil with a disability must be in accordance with 20 U.S.C section 1415 (k).

Reimbursement for Unilateral Placement by Parents – N.J.A.C. 6A:14-2.10

Except as provided in N.J.A.C. 6A:14-6.1 (a), the Board is not required to pay for the cost of education, including special education and related services, of a pupil with a disability if the school district made available a free appropriate public education and the parent (s), legal guardian (s) and/or the adult pupil elect to enroll the pupil in a nonpublic school or approved private school for the disabled. If the parent (s), legal guardian (s) and/or the adult pupil with a disability previously received special education and related services from the school district of residence, enroll the pupil in a nonpublic or approved private elementary or secondary school without the consent of or referral by the school district, an ALJ may require the school district to reimburse the parent (s), legal guardian (s) and/or the adult pupil for the cost of that enrollment if the ALJ finds that the school district had made available a free, appropriate public education available to that pupil in a timely manner prior to that enrollment. The cost of reimbursement requested by the parent (s), legal guardian (s) and/or the adult pupil may be reduced or denied consistent with N.J.A.C. 6A:14-2.10 (c).

N.J.S.A. 18A:46-1 et seq.

N.J.S.A. 1:6A-1.1 et seq.

N.J.A.C. 6A:14-1 et seq.

20 U.S.C. S1400 et seq.

### SPECIAL EDUCATION-EVALUATION PROCEDURES

#### Evaluation - N.J.A.C. 6A:13-3.4

The Child Study Team (CST), the parent (s), and legal guardian (s), and/or the adult pupil, and the regular education teacher who has knowledge of the pupil's educational performance or the district's programs shall review existing data on the pupil, current classroom-based assessments and observations, and the observations of teachers and related services providers. The need for any health appraisals or specialized medical evaluations shall also be considered. After the parent(s), legal guardian (s), and/or adult pupil consent for initial evaluation of preschool age or school age pupil has been received, the evaluation, determination of eligibility for services under N.J.A.C. 6A:14 et seq., and the Individualized Education Program (IEP) for the pupil shall be completed within ninety calendar days.

When the suspected disability is disorder of articulation, voice or fluency in accordance with N.J.A.C. 6A:14-3.6 (e), the speech-language specialist shall meet with the parent (s), legal guardian (s), and/or the adult pupil and the regular education teacher who is knowledgeable about the pupil's review existing data on the pupil including evaluation and information provided by the parent (s), legal guardian (s), and/or the adult pupil, current classroom-based assessments and observations, and observations of teachers and related services providers. Parental, legal guardian (s), and/or the adult pupil consent to conduct the evaluation in accordance with N.J.A.C. 6A:14-3.3 (e) 5 and to conduct an assessment shall be obtained.

N.J.S.A. 18A:46-et seq.  
N.J.S.A. 1:6A-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

SPECIAL EDUCATION-PUPIL RECORDS

Pupil Records – N.J.A.C. 6A:14-2.9

All pupil records shall be maintained in accordance with N.J.A.C. 6a:3-6, and Policy and Regulation No. 516/8330. The parent (s), legal guardian (s), and/or the adult pupil, or their designated representative shall be permitted to inspect and review the contents of the pupil's records maintained by the school district under N.J.A.C. 6:3-6, and Policy and Regulation No. 8330 without unnecessary delay and before any meeting regarding the Individual Education Program (IEP).

N.J.S.A. 18A:46-1 et seq.

N.J.S.A. 1:6A-1.1 et seq.

N.J.A.C. 6A:14-1 et seq.

20 U.S.C. S 1400 et seq.

SPECIAL EDUCATION-EARLY INTERVENTION PROGRAM (EIP)  
TRANSITION/IEP IMPLEMENTATION BY THIRD BIRTHDAY

Early Intervention Program (EIP), serving children between birth and age three shall be administered by the Department of Health and Senior Services as the lead agency and Education in accordance with P.L. 1992, c.155.

When an Individual Education Program (IEP) is developed by the school district for a child age three who has been enrolled in an EIP, and it is determined that the school district shall provide a free appropriate public education for that pupil by continuing the program in the EIP for the balance of that school year, the following requirements shall apply:

1. The Board shall be responsible to ensure that the requirements of N.J.A.C. 6A:14 shall be met;
2. A contractual agreement shall be provided between the school district and the EIP;
3. Personnel shall be appropriately certified and, if required, licensed; and
4. Applications for exceptions in accordance with N.J.A.C. 6A:14-4.10 shall be made whenever necessary.

When the Board determines that the child who has been enrolled in the EIP requires an extended year program, the school district may contract with the EIP for the provision of that program.

The school district administration shall make available to parent (s), legal guardian (s), and/or the adult pupils with disabilities, and to the general public all documents relating to the eligibility of the school district under Part B of the Individuals with Disabilities Education Act (IDEA). Words and terms shall be defined in the same manner as those words and terms used in the IDEA and in accordance with N.J.A.C. 6A:14-1.3.

N.J.S.A. 18A:46-1 et seq.  
N.J.S.A. 1:6a-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

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SPECIAL EDUCATION-REQUIREMENT FOR SERVICES  
IN NON-PUBLIC SCHOOL PUPILS

Participation of Pupils with Disabilities Enrolled in Nonpublic Schools by  
Their Parents – N.J.A.C. 6A:14-6.1

The school district shall provide a genuine opportunity for the equitable participation of pupils with disabilities who reside in the school district, who are enrolled in nonpublic schools. The school district shall spend an amount of money equal to a proportionate amount of federal funds available under Part B of the Individuals with Disabilities Education act (IDEA) for the provision of services to pupils with disabilities who are attending nonpublic schools pupils with disabilities, and their parent (s), legal guardian (s) and /or adult pupil as specified by federal law and rules under Part B of the IDEA shall apply.

Provisions of Programs and Services Provided Under the N.J.S.A.  
18a:46a-1 et seq. and 18a:46-19.1 et seq. - N.J.A.C. 6A:14-6.2

If the nonpublic school is located within the school district, the school district shall provide to nonpublic school pupils the program and services required by federal and State law itself, or through joint agreements with other Boards of Education, or through contracts with Educational Services Commissions, or with clinics and agencies approved under N.J.A.C. 6A:14-5. Specifications for contracts to provide programs and services covered by this policy shall be approved by the County Superintendent of Schools.

Identification, evaluation, determination of eligibility, development of Individualized Education Programs (IEP), and provisions of speech and language services, home instructions, and supplementary instruction and supplementary instruction shall provide in accordance with federal and State law. English as a second language shall be provided in accordance with N.J.A.C. 18A:46A-2c, and Compensatory Education shall be provided in accordance with N.J.A.C. 18A:46A-2e . Any special education programs and services provided in accordance with federal and State law, shall be provided with parental, legal guardian (s), and/or the adult pupil's consent in accordance with N.J.A.C. 6A:14-2.3. Procedural safeguards available to nonpublic school pupils with disabilities and their parent (s), legal guardian (s), and/or the adult pupil as specified by federal law and rules under Part B of the IDEA shall apply.

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Personnel providing a program or services shall have appropriate certification, and if required, meet all licensing requirements. Personnel shall not be employed by the nonpublic school in which the pupil is enrolled with exception of personnel providing the types of instruction specified in N.J.A.C. 6A:14-5.1 (c) 2ii and iii.

Programs and services for nonpublic school pupils shall be provided in facilities approved by the New Jersey Department of Education through its County Office of Education in accordance with N.J.S.A. 18A:46-5 and 18A 46-19.5.

Public and nonpublic school pupils may be grouped for speech and correction and the other instructional programs provided, when appropriate. When the provision of programs and/or services requires transportation or the maintenance of vehicular classrooms, the school district in which the nonpublic school is located shall provide the transportation and maintenance, and the cost shall be paid from State aid received for this purpose. The school district in which the nonpublic school is located shall maintain all records of nonpublic school pupils receiving programs and /or services in accordance with N.J.A.C. 6:3-6.

Fiscal Management Provided Under N.J.S.A. 18A:46A-1 et seq. And 18A:46-19.1 et seq. – 6A:14-6.3

The school district in which the nonpublic school is located, shall provide programs and services at a cost not to exceed the amount of State aid funds. The school district is responsible to maintain an accounting system for nonpublic programs and services in accordance with N.J.A.C. 6:20-2A. At the close of each school year, the school district shall report to the New Jersey Department of Education the total district cost for programs and services provided.

The school district in which the nonpublic school is located, shall receive State aid for programs and services for the succeeding school year as available from appropriated funds for nonpublic school programs and services.

End of the Year Report Provided Under N.J.S.A. 18A:46A-1 et seq. And 18A:46-19.1 et seq. – 6A:124-6.4

Annually, the Superintendent of Schools shall submit to the New Jersey Department of Education, a report describing the programs and services provided under N.J.A.C. 6A:14 et seq. The end of the year

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report shall include the numbers of nonpublic school pupils provided each program or service, and such other information as may be required by the New Jersey Department of Education.

N.J.S.A. 18A:46-1 et seq.

N.J.S.A. 1:6A-1.1 et seq.

N.J.A.C. 6A:14-1 et seq.

20 U.S.C. S1400 et seq.

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SPECIAL EDUCATION-PRIVATE SCHOOL PUPILS-SPECIAL  
EDUCATION AND RELATED SERVICES

Placement in Accredited Nonpublic Schools which are Not Specifically  
Approved for the Education of Disabled Pupils-N.J.A.C. 6A:14-6.5

In accordance with N.J.A.C. 18a:46-14, pupils with disabilities may be placed in accredited nonpublic schools which are not specifically approved for the education of disabled pupils with the consent of the Commissioner of Education or by an order of a court of competent jurisdiction, except preschool age pupils with disabilities may be placed by the school district in early childhood programs operated by agencies other than a school district in accordance with N.J.A.C. 6A:14-4.3 c

- A. The Commissioner's consent shall be based upon certification by the school district that the following requirements have been met:
1. The nonpublic school is accredited. Accreditation means that on-going, on-site evaluation of a nonpublic school by a governmental or independent agency which is based upon written evaluation criteria that address educational programs and services, school facilities and school staff:
  2. A suitable special education program pursuant to N.J.S.A. 18A:46-14 a. through h., cannot be provided to this pupil;
  3. The most appropriate placement for this pupil is this nonpublic school;
  4. The program to be provided shall meet the requirements of the pupil's Individualized Education Program (IEP)
  5. The pupil shall receive a program that meets all the legal requirements of a thorough and efficient education. These requirements shall be met except

as the content of the program is modified by the IEP based on the educational needs of the pupil. Statewide assessment and graduation requirements shall apply. Participation in Statewide assessment and/or exemption from graduation requirements shall be recorded in the pupil's IEP in accordance with N.J.A.C. 6A:14-4.11 and 4.12.

- a. All personnel providing either special education programs or related services shall hold the appropriate educational certificate and a license, if one is required, for the position in which they function;
  - b. All personnel providing regular education programs shall either hold the appropriate certificate for the position in which they function or shall meet the personnel qualification standards of the recognized accrediting authority;
  - c. All substitute teachers and aides providing special education and related services shall be employed in accordance with N.J.A.C. 6:11-4.5, County substitute certificate, and 4.6, Paraprofessional approval.
6. The pupil shall receive a comparable program to that required to be provided by the school district. These requirements shall be met except as the content of the program is modified by the IEP based on the educational needs of the pupil. Exemptions shall be recorded in the pupil's IEP.
  7. The nonpublic school provides services which are nonsectarian;
  8. The nonpublic school complies with all relevant State and federal anti-discrimination statutes;

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9. Written notice has been provided to the pupil's parent (s), legal guardian (s) and/or the adult pupil regarding this placement which has included a statement that;
    - a. The nonpublic school is not an approved private school for the disabled and that the school district assumes the ongoing monitoring and responsibilities for the pupil's program;
    - b. No suitable special education program could be provided to this pupil pursuant to N.J.S.A. 18A:46-14; and
    - c. This is the most appropriate placement available to the pupil.
  10. The placement is not contested by the parent (s), legal guardian (s) and/or the adult pupil; and
  11. The nonpublic school has been provided copies of N.J.A.C. 6A:14, 1:6A and 6:3-6.
- B. In a due process hearing, the authority of the Commissioner to consent to a placement in an accredited nonpublic school shall be delegated to the Administrative Law Judge (ALJ) assigned to the case when:
1. The ALJ makes a factual determination that the certifications in one through eleven above are met; or
  2. If the school district and the parent (s), legal guardian (s) and/or the adult pupil agree to a settlement under N.J.S.A. 18A:46-14 and the ALJ approves the settlement. Approval may be granted if the school district makes the certification in one through eleven above. A copy of the signed consent application shall be attached to the settlement agreement and forwarded by the district Board of Education to the New Jersey Department of Education through the County Office of Education.

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The school district shall be responsible monitor the  
pupil's placement at least annually to ensure the  
program's compliance with the certifications.

N.J.S.A. 18A:46-1 et seq.  
N.J.S.A. 1:6a-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S 1400 et seq.

### SPECIAL EDUCATION-PERSONNEL

#### General Requirements – Services – N.J.A.C. 6A:14-3.1

A Child Study Team (CST) shall include a school psychologist, a learning disabilities teacher-consultant and a school social worker. All members of the CST shall be Board of Education employees, have identifiable, apportioned time commitment to the school district and shall be available during the hours pupils are in attendance.

Specialists in the area of disability may include, but not be limited to , CST members, as well as speech-language audiologists, school nurses, advance practice nurses and physicians who are appropriately certified and/or licensed to carry out activities under N.J.A.C. 6A:14 et seq. Where an educational certificate and a license are required to carry out activities under N.J.A.C. 6A:14 et seq., the professional must be certified and/or licensed.

CST members and to the extent appropriate, specialists in the area of disability, shall participate in the evaluation of pupils who may need special education programs and services in accordance with N.J.A.C. 6A:14-3.3 and 3.4, participate in the determination of eligibility of pupils for special education programs and services in accordance with N.J.A.C. 6A:14-3.5; may deliver appropriated related services to pupils with disabilities; and may provide preventive and support services to the general education staff regarding techniques, materials, and programs for pupils experiencing difficulties in learning. Services include, but are not limited to, consultation with staff and parent (s), the legal guardian (s), and/or the adult pupil and the design, implementation and evaluation of techniques to prevent and/or remediate educational difficulties.

#### Case Manager – N.J.A.C. 6A:14-3.2

A case manager shall be assigned to a pupil when it is determined that an initial evaluation shall be conducted. CST members or speech-language specialists, when they act as members of the CST, shall be designated to serve as the case manager for each pupil with a disability.

The case manager shall coordinate the development, monitoring and evaluation of effectiveness of the Individual Education Program (IEP); facilitate communication between home and school and coordinate the annual review and reevaluation process; be knowledgeable about the pupil's education and

procedures and procedural safeguards; have an apportioned time for case management responsibilities; and be responsible for transition planning.

Providing Educational and Related Services – N.J.A.C. 6A:14-5 et seq.

The school district, independently or through joint agreements, shall employ CST (s), speech correctionist (s) or speech-language specialist (s) and other school personnel in numbers sufficient to ensure provision of required programs and services pursuant to Federal and State laws. Joint agreements for CST services may be entered into with other school districts, Educational Services Commission, Jointure Commissions and Special School Districts.

If the school district provides its educational program through another New Jersey school district, responsibility for the requirements of N.J.A.C. 6A:14-1 et seq. shall be according to the following:

- 1, When individual pupils are placed in a school operated by another school district, a contractual agreement shall be made between Boards of Education which specifies responsibility for providing instruction, related services and CST services to pupils with disabilities.

The school district may contract with private clinics and agencies approved by the New Jersey Department of Education, private professional practitioners who are certified and licensed according to the State statutes and rules, agencies or programs that are certified, approved or licensed by the New Jersey Department of Human Services or by the New Jersey Department of Health and Senior Services for the following services:

1. For public school pupils independent CST evaluation according to N.J.A.C. 6A:14-2.5(b); CST diagnostic services; to supplement existing school district services; the related services of occupational therapy, physical therapy and counseling, and home instruction.
2. For pupils attending nonpublic schools, the school district in which the facility is located may contract for evaluation, eligibility, classification and the development of an IEP, supplementary instruction for language services and home instruction for pupils determined eligible for such services, and English as a Second Language and Compensatory Education.

The school district may purchase services listed under 1. and 2. above, from New Jersey Department of Education approved clinics and agencies with the prior written approval of the New Jersey Department of Education. The request for approval to purchase services shall include the proposed terms of the contract, the school district shall be notified of approval or disapproval, and the approval shall be for one year. The school district is not required to obtain prior written approval of the New Jersey Department of Education when contracting for an independent CST evaluation.

The school district may contract for medical diagnostic services with medical clinics and agencies approved by New Jersey State agency or appropriate state agencies outside of New Jersey. These agencies do not have to obtain New Jersey Department of Education approval nor does the school district have to receive prior approval of the New Jersey Department of Education to purchase diagnostic medical services. Any clinic or agency used by the school district shall be in conformance with the requirements of N.J.A.C. 6A:14-5.2.

N.J.S.A. 18A:46-1 et seq.

N.J.S.A. 1:6A-1.1 et seq.

**SPECIAL EDUCATION-IN-SERVICE TRAINING**

The Superintendent of Schools will ensure in-service training in educating special education pupils is provided to all members of the teaching and support staff who provide services to pupils with disabilities consistent with the school district's special education plan approved by the Board of Education as submitted to the New Jersey Department of Education.

N.J.S.A. 18A:46-1 et seq  
N.J.S.A. 1:6A-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

SPECIAL EDUCATION-PARTICIPATION IN STATE-WIDE AND  
DISTRICT-WIDE ASSESSMENT

Statewide Assessment – N.J.A.C. 6A:14-4.11

1. Accommodations and/or modifications approved by the New Jersey Department of Education for the administration of the Statewide assessment will be provided in accordance with the pupil's Individualized Education Plan (IEP).
2. If the nature of the pupil's disability is so severe that the pupil is not receiving instructions in any of the knowledge and skills measured by the Statewide assessment and the pupil cannot complete any of the questions on the assessment in the subject area with or without accommodations, the pupil will participate in a locally determined assessment of pupil progress.
3. A pupil with a disability may participate in the Special Review Assessment for the High School Proficiency Test after one administration of the High School Proficiency Test or the current State assessment instrument for such purposes when the pupil fails one or more sections of the test, and when the IEP Team determines that the pupil requires an alternative format to demonstrate the knowledge and skills measures by the High School Proficiency Test of the current State assessment instrument for such purpose.

Graduation – N.J.A.C. 6A:14-4.12

The IEP Team of a pupil with a disability who enters a high school program must specifically address the graduation requirements. The pupil must meet the graduation requirements of N.J.A.C. 6A:4A.1, except as specified in the pupil's IEP. The IEP must specify which requirements would qualify the pupil with a disability for the State endorsed diploma issued by the school district for his or her graduation.

If a pupil attends a school outside the school district which is empowered to grant a diploma, the pupil will have the choice of receiving the diploma of the school attended or the diploma of the school district

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school, a pupil with a disability who fulfills the requirements of his or her IEP will qualify for a school district diploma.

Pupils with disabilities who meet the standards for graduation according to this section will have the opportunity to participate in graduation exercises and related activities on a non discriminatory basis.

N.J.S.A. 18A: 46-1 et seq.  
N.J.S.A. 1:6A-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. S1400 et seq.

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35 / 35

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