

## 2460 SPECIAL EDUCATION (M)

### M

The Black Horse Pike Regional Board of Education assures 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 will have programs and procedures in effect to ensure the following:

1. All **students** **pupils** with disabilities, who are in need of special education and related services, including **students** **pupils** 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.
2. Homeless **pupils** **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.
3. **Pupils** **Students** with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.
4. 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.
5. 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.
6. **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:14-4.10. All **pupils** **students** with disabilities will participate in State-wide assessments or the applicable **Alternative Proficiency Assessment** in grades three, four, five, six, seven, eight, and **high school in the applicable courses** **eleven in accordance with their assigned grade level**.
7. **Pupils** **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 **pupils** **students** with disabilities between the ages of three and twenty-one, including pupils with disabilities who have been suspended or expelled from school.
  - a. The obligation to make a free, appropriate public education available to each eligible **pupil** **students** begins no later than the **pupil's** **student's** third birthday and that an individualized education program (IEP) is in effect for the **pupil** **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 **pupil** **student** with a disability who **needs** ~~is eligible for~~ special education and related services, even though the **pupil** **student** is advancing from grade to grade;
  - d. The services and placement needed by each **student** **pupil** with a disability to receive a free, appropriate public education are based on the **student's** **pupil's** unique needs and not on the **student** **pupil's** disability; and
  - e. The services and placement needed by each **pupil** **student** with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the **pupil's** **student's** home as possible and, when the IEP does not describe specific restrictions, the **pupil** **student** is educated in the school he or she would attend if not a **pupil** **student** with a disability.
9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP 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 **pupils** **students** with disabilities is provided;
11. The compilation, maintenance, access to, and confidentiality of **pupil** **student** records are in accordance with N.J.A.C. 6A:32-7;
12. Provision is made for the participation of **pupils** **students** with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2;
13. **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) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3;
14. 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.**
15. **Pursuant to N.J.A.C. 6A:14-1.2(b)4,** ~~t~~he 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 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** **students** 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 and how the district will, if appropriate, adopt promising practices, materials and technology;



- d. Ensure 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) and special education, related services and general education personnel.
16. Instructional material will be provided to blind or print-disabled **pupils students** in a timely manner, **consistent with a plan developed by the district.**
17. For **pupils 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(s) to apply for such services.
18. The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.
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 **pupil's 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 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.



# POLICY

## BLACK HORSE PIKE REGIONAL BOARD OF EDUCATION

Program  
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SPECIAL EDUCATION (M)

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

Adopted: 9 April 2009

**2<sup>nd</sup> Reading: 6 April 2017**

