

BOARD OF EDUCATION

Cherry Hill, New Jersey

POLICY 6171.4

SPECIAL EDUCATION

In compliance with state department of education interpretation of the administrative code on special education, the board adopts the following policy on providing educational and related services to pupils identified as having educationally disabling conditions as defined in federal and state law.

- A. The purpose of this policy is the provision of full educational opportunity to educationally disabled pupils.

The board of education is responsible for providing education for all children resident in the district. All reasonable efforts will be made to resolve an enrolled child's learning and adjustment difficulties prior to his/her referral to the child study team for screening and/or evaluation. When a pupil is found eligible for special education and related services and the board of education cannot provide required instruction and related services from its own resources and facilities, the board will seek appropriate placement outside the district, and will assume such costs of that placement as are required by law.

The goal of the board's special education program is to provide full educational opportunity to all educationally disabled resident pupils ages three through 21, as those terms are defined in federal and state law. The board will make available to parents/guardians of educationally disabled children below the age of three information regarding services available through other state, county and local agencies.

- B. Identification, location and evaluation of potentially educationally disabled pupils, according to N.J.A.C 6A:14-3.3:

The superintendent shall prepare written procedures for identifying those pupils ages three through 21, including pupils attending nonpublic schools, who reside within the district and may be educationally disabled, who are not receiving special education and/or related services as required. Procedures shall include provision for the referral of pupils who may be experiencing physical, sensory, emotional, communication, cognitive or social difficulties. In order to ensure program placement by a disabled child's third birthday, a written request for initial evaluation shall be forwarded to the district at least 120 days prior to the preschooler attaining age three.

The board shall ensure that all preschool pupils with disabilities shall have their IEPs implemented no later than their third birthdays. To provide a smooth transition between a child's preschool program and his/her school age program (public or private), particular attention shall be paid to articulation between those programs.

These procedures and arrangements shall be adopted by the board after review and possible revision. The procedures shall include criteria by which to identify the potentially disabled, and require the participation of staff, parents/guardians and appropriate agencies.

Evaluation and Determination of Eligibility

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of N.J.A.C. 6A:14-2.3, 2.5, 3.4 and 3.5 dealing with:

1. Parental notice, notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf;
2. An initial evaluation that consists of a multi-disciplinary assessment in all areas of suspected disability and a written report of the results of each assessment;
3. Determination that a pupil is eligible for special education and related services when he/she has been identified as having one or more of the thirteen categories of disability described in the administrative code, and the disability adversely affects the pupil's educational performance.

The superintendent shall oversee development of detailed procedures to govern the evaluation process, and shall implement them after they have been reviewed and adopted by the board.

The board shall ensure that a variety of assessment tools and strategies shall be applied to gather information to develop and monitor the IEP, including cooperation and input from the parents/guardians. Relevant information shall also be related to enabling the pupil to be involved in and progress in the general education curriculum or, for preschool children with disabilities to participate in appropriate activities.

The superintendent shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports.

The chief school administrator shall also ensure that the district plan for special education is in compliance with administrative code and the approved state plan for special education, according to N.J.A.C. 6A:14-4.1. This plan shall consist of policies, procedures, assurances, a comprehensive system of personnel development, data collection and an application that describes the use of IDEA Part B funds. The superintendent shall ensure that the plan is implemented in this district and shall supervise its operation so that it will accomplish its stated goals and objectives.

C. Determination of eligibility according to N.J.A.C. 6A:14-2.3(i)1 and 3.5 through -3.6:

Eligibility for special education and related services shall be determined collaboratively by the parents/guardians; a teacher who is knowledgeable about the pupil's educational performance or district's programs; the pupil, where appropriate; at least one child study team member who participated in the evaluation; the case manager; other appropriate individuals at the discretion of the parent or district; and for an initial eligibility meeting, certified school personnel referring the pupil as potentially disabled, or the school principal or designee if they choose to participate.

A pupil shall be determined eligible and classified for special education and related services when it is determined that the pupil has one or more of the disabilities defined in the administrative code. A pupil shall be determined eligible for speech-language services when he/she exhibits a speech or language disorder as outlined in the administrative code.

D. Individualized Educational Planning For Eligible Pupils:

The individualized education program for each educationally disabled pupil shall be developed in accordance with the provisions of the administrative code, at N.J.A.C. 6A:14-2.3(i) and N.J.A.C.6A:14-3.7.

The board shall ensure that an IEP is in effect for every pupil in the district who is receiving special education and related services.

A written individualized education program shall be developed and implemented for each classified pupil and, in accordance with New Jersey law, a review shall be conducted by the appropriate staff members annually or more often, if necessary, to evaluate the disabled pupil's progress and to revise the individualized education program.

Meetings shall be conducted to determine eligibility and to develop, review and revise a pupil's individualized education program. Such meetings shall be scheduled at a mutually agreed upon time and place, and notice of the meetings shall indicate the purpose, time, location and participants. If the parents/guardians cannot attend the meetings, the superintendent/designee shall attempt to ensure parental participation, including the use of individual or conference telephone calls. Documentation shall be maintained of all attempts to secure parent/guardian participation.

Parents/guardians shall receive a copy of the pupil's IEP and of any revisions made to it.

All communication with parents/guardians, including written notice, notifications and required meetings, shall be conducted in the language used for communication by the parent/guardian and pupil unless it is not feasible to do so. This shall include providing foreign language interpreters or translators and sign language interpreters for the deaf at no cost to the parents.

The IEP shall be developed and monitored with the cooperation and input of parents/guardians. In addition to educational programming, the IEP shall provide for necessary disciplinary action and specify graduation requirements when appropriate. Any accommodations and/or modifications for the administration of statewide assessments shall be specified in the IEP.

1. No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP. The IEP shall be implemented as soon as possible following the IEP meeting.
 2. The board of education will provide the kind and quality of those special education-related services prescribed in the IEP to enable educationally disabled pupils to participate in regular educational programs to the maximum extent appropriate. Such education-related services shall include transportation, ensuring that hearing aids worn by deaf and/or hard of hearing children in school are functioning properly, etc.
 3. The board of education will provide testing accommodations for students with disabilities under Chapter XIV as identified in the IEP.
- E. Placement of educationally disabled pupils in the least restrictive environment according to N.J.A.C. 6A:14-4.2:

Educational placement decisions made for each disabled pupil shall always be, insofar as possible, in the least restrictive environment commensurate with the pupil's educational needs. This means that to the maximum extent appropriate, educationally disabled pupils shall be educated with children who are not educationally disabled. These decisions should be designed to produce a positive effect on the pupil and to ensure the quality of services which he/she requires.

The superintendent shall encourage positive attitudes toward the educationally disabled in all district pupils and personnel.

Special classes, separate schooling or other removal of educationally disabled pupils from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

In order to ensure a continuum of alternative placements, when the board cannot provide required instruction and related services from its own resources and facilities, it will seek appropriate placement outside the district and will assume such costs of that placement as are required by law.

Placement of a disabled pupil in the least restrictive environment shall be determined annually. Placement shall be provided in appropriate educational settings as close to home as possible. When the IEP does not describe specific restrictions, the pupil shall be educated in the school he/she would attend if not disabled.

The board of education will provide the kind and quality of those special education-related services prescribed in the IEP to enable educationally disabled pupils to participate in regular educational programs to the maximum extent appropriate. Such education-related services shall include transportation, ensuring that hearing aids worn by deaf and/or hard of hearing children in school are functioning properly, etc.

Teachers in special education will meet the certification requirements for subject area instruction and will attain highly qualified status as may be required by The No Child Left Behind Act of 2001.

When instruction in health, industrial arts, fine arts, music, home economics, and other education programs is provided to groups consisting solely of pupils with disabilities, the size of the groups and age range shall conform to the requirements for special class programs described in the administrative code.

When pupils with disabilities participate in physical education, intramural and interscholastic sports, non-academic and extracurricular activities in groups consisting solely of pupils with disabilities, the age range and group size shall be based on the nature of the activity, needs of the pupils participating in the activity and the level of supervision required.

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of the administrative code.

- F. Protection of pupils rights in regard to evaluation and reevaluation procedures according to N.J.A.C.: 6A:14-3.4 and 3.8:

Procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians whether the pupil is already enrolled in the schools or has been located through the process for identification in the section D of this policy.

In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed. The superintendent shall develop and present to the board for review and adoption procedures for:

1. Giving notice to parents/guardians and adult pupils in accordance with N.J.A.C. 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians and adult pupils of their right to review all educational records with respect to the identification, evaluation and educational placement of the pupil; to appeal these by requesting a due process hearing; and their rights in regard to free and low cost legal services and legal fees;
2. An independent evaluation at the request of the parent/guardian or adult pupil in accordance with N.J.A.C. 6A:14-2.5(c). Such independent evaluation shall be at no cost to the parent/guardian if it is conducted in compliance with administrative code, unless the district board of education initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. The IEP team shall consider any independent evaluation submitted to it when making decisions regarding special education and/or related services;
3. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties. A due process hearing may be initiated by the board of education, a parent/guardian or adult pupil;
4. Ensuring what all evaluation procedures, including but not limited to observations, tests and interviews used to determine eligibility and placement of disabled pupils, shall comply with the requirements of N.J.A.C. 6A:14-3.4, 3.5 and 3.7.

G. Exemption of educationally disabled pupils from the high school graduation requirements according to N.J.A.C. 6A:14-4.11 through -4.12

A disabled pupil must meet all state and local high school graduation requirements in order to receive a state-endorsed high school diploma unless exempted in his/her IEP. When a pupil has been exempted from any graduation requirement, his/her IEP shall address alternate requirements to be met. By the year specified in code, the board shall ensure that all pupils with disabilities participate in statewide assessments with appropriate accommodations or modifications, as determined by the pupil's IEP. If the nature of the pupil's disability is so severe that the pupil is not receiving instruction 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 a subject area with or without accommodations, the pupil shall participate in the alternate proficiency assessment of pupil progress, at the same interval the district administers state wide tests.

By June 30 of a disabled pupil's last year in the elementary program, the pupil's case manager, parent/guardian and teacher(s) shall meet to review the instructional guide and basic plan of the pupil's IEP in view of the transition to the secondary program. Input from appropriate staff from the secondary school shall be part of the review.

The basic plan of the IEP for the pupil entering the secondary program will address all the elements required in the administrative code, including specifically addressing graduation requirements. Required reviews of the IEP shall continue to address graduation requirements.

A disabled pupil who has not been exempted from the proficiencies or has performed below the state minimum level of pupil proficiency on one or more areas of the state-mandated high school proficiency test may participate in the special review assessment (SRA).

Educationally disabled pupils meeting the standards for graduation according to N.J.A.C. 6A:14-4.12 shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis. Students attending an out of district school shall have the choice of the diploma from the district of residence or the school the student attends

H. Prevention of needless public labeling of educationally disabled pupils

The board directs that the names and other personally identifiable data concerning educationally disabled children shall be kept confidential and shall not be included in the public acts and public records of this district. Such names and data shall be reduced to code for inclusion in the public record. A special confidential file shall be maintained listing the names of educationally disabled pupils on whose behalf the board of education must take public action. Motions concerning disabled pupils made at public meetings shall be anonymous and referred to this confidential file. This file shall be maintained in accordance with N.J.A.C. 6:3-6.2.

Further, the board, administrators, faculty and other personnel shall avoid unnecessary and needless public labeling of such pupils. This shall include the avoidance of public address announcements so designating pupils, any open identification of classrooms with signs so designating, or any item of open or general circulation, such as photographs, audio/videotapes, etc., that so designates an individual pupil or class. Pupil records shall be maintained in accordance with N.J.A.C. 6:3-6.4. No accidental compromise to a child's disability status shall be conferred through course titles or by exchange of papers or posting of grades in a public area.

I. Compilation, maintenance, access to and confidentiality of pupil records according to N.J.A.C. 6:3-6.4 through 6:3-6.6.

To ensure proper accessibility and confidentiality, the records of educationally disabled pupils shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the district policy 5125 on pupil records in general. To assure the security of special education records:

1. Provision shall be made for access and security of computer-stored records of educationally disabled pupils;
2. Clerical and secretarial tasks related to such records shall be performed only under the supervision of appropriately certified staff.

As with all pupil records, access shall be guaranteed to persons authorized according to N.J.A.C. 6:3-6.5 within 10 days of the request, but prior to any review or hearing conducted in accordance with state board of education regulations.

For the district's general policy and regulation on pupil records see 5125, which deals with all requirements common to disabled and general pupil records including enumeration and description of records, provisions for access, notice to parents/guardians of their rights in regard to the child's records, etc.

- J. Participation of and consultation with the parents of educationally disabled pupils toward the goal of providing full educational opportunity to all educationally disabled pupils ages three through 21:

In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process, pursuant to N.J.A.C. 6A:14-2.3 and 2.4. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed.

Written notice to parents/guardians and/or adult pupils shall be provided as follows:

1. The board shall provide written notice no later than 15 calendar days after making a determination;
2. The board shall provide written notice at least 15 calendar days prior to the implementation of
 - a proposed action so that the parents/guardians and/or adult pupil may consider the proposal.

The superintendent shall develop and present to the board for review and adoption procedures for:

1. Giving notice to parents/guardians when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians of their right to appeal and their rights in regard to low-cost legal counsel and fees;
2. Seeking consent of parents/guardians to the actions in 1, when such consent is required;
3. Seeking parent/guardian participation in conferences and determinations as specified in 1, and in evaluation of the success of the educational plan for their child. When necessary, conference schedules shall be altered to accommodate working parents/guardians;
4. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties.

5. Particularly, parental consent shall be obtained prior to implementation of the initial IEP resulting from evaluation; prior to reevaluation except in the circumstances outlined in code; and prior to the release of pupil records according to N.J.A.C. 6:3-6.

Procedures set out in the administrative code shall be followed when parent/guardian cooperation and/or participation cannot be obtained. When necessary, a surrogate parent shall be appointed to ensure the protection of a pupil's rights when the parents/guardians cannot be identified or located or the child is a ward of the State of New Jersey. The district shall select and train such surrogate parents in compliance with the administrative code.

No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP.

- K. Establishment and implementation of procedural safeguards according to N.J.A.C. 6A:14-2.3 through 2.4 and N.J.A.C. 1:6A

The board of education directs the superintendent to establish and implement the required procedural safeguards.

Procedural safeguards shall include:

1. Giving notice to parents/guardians per N.J.A.C. 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians of their right to appeal and their rights in regard to legal fees;
2. Seeking consent of parents/guardians to the actions in 1, when such consent is required;
3. Seeking parent/guardian participation in conferences and determinations as specified in 1, and in evaluation of the success of the educational plan for their child. When necessary, conference schedules shall be altered to accommodate working parents/guardians;
4. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties.

The superintendent shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports.

These procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians. Procedures shall be conducted in strict compliance with the provisions of the administrative code dealing with parental notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf.

To implement achievement of the board's goal for provision of special education, the superintendent shall oversee development of a written plan for special education conforming to the state plan for the educationally disabled. The plan shall consist of policies, procedures, assurances; a comprehensive system of personnel development; data collection and an application that describes the use of IDEA Part B funds.

- L. Complying with other aspects of the district program for special education and/or requirements of N.J.A.C. 6A:14

Written Plan

To implement achievement of the board's goal for provision of special education, the superintendent shall oversee development of a written plan for special education conforming to the state plan for the educationally disabled. After the plan has been approved by the board of education and the county superintendent, the superintendent shall implement it in this district and supervise its operation so that it will accomplish its stated goals and objectives. The plan, any alterations to it, and an evaluation of its effectiveness will be shared annually with the community.

Discipline

In general, educationally disabled pupils are subject to the same disciplinary constraints and sanctions as nondisabled pupils. However, before disciplinary action is taken against an educationally disabled pupil, consideration must be given to whether the behavior is caused by the disabling condition, whether the program that is being provided meets the pupil's needs, whether a component of the pupil's IEP covers the behavior, or whether the pupil is an immediate danger to himself/herself or others.

A disabled pupil may be removed for disciplinary reasons from his/her current educational placement to an interim alternative educational setting, another setting, or a suspension without the provision of educational services for up to 10 consecutive or cumulative school days in a school year. Such suspensions are subject to the same district board of education procedures as nondisabled pupils. However, at the time of removal, the principal shall forward written notification and a description of the reasons for such action to the case manager.

Procedures for imposing and implementing disciplinary sanctions on educationally disabled pupils, including removal to an interim alternative educational setting, suspension for more than 10 school days in a school year, or expulsion, shall be in strict compliance with the provisions of state and federal law and the administrative code. (See N.J.A.C. 6A:14-2.8, 3.7, Appendix A and IDEA 2004)

Early Intervention

The superintendent or designee shall gather and make available to parents/guardians of disabled children below the age of three information regarding ameliorative services and programs provided by other state, county and local agencies. The procedures for such dissemination shall be reviewed and adopted by the board.

Preschool Disabled Program

The superintendent shall develop and propose for board adoption programs and related services for pupils ages three through five who have been identified and classified as preschool disabled. Such programs and services shall be in strict accordance with New Jersey administrative code.

Placement in Nonpublic Schools

The board shall provide a genuine opportunity for the equitable participation of pupils with disabilities who have been enrolled in nonpublic schools by their parents/guardians, in accordance with federal law and regulations. All special education programs and services shall be provided with the consent of parents/guardians.

Pupils shall receive programs and services as specified in N.J.A.C. 6A:14-6.1.

Limited English Proficient

Pupils with limited English proficiency may have educationally disabling conditions that must be addressed in order to provide them the full educational opportunity that is the goal of the district for every child. Evaluation procedures shall be selected so that the pupil's cultural background and language abilities are taken into consideration unless it is clearly unfeasible to do so; and shall accurately reflect the pupil's ability rather than the impairment. All actions under Parent/Guardian Notification, Consent and Participation are to be conducted in the parents/guardians' dominant language, unless that is clearly impossible. In that case, care shall be taken that the facts and procedures are made intelligible to the parents/guardians.

Cooperation with Other Agencies

The superintendent shall investigate the possibilities of working with organizations and agencies providing services for the disabled, and shall present feasible programs and relationships to the board for consideration.

Evaluation of Program

At least annually, the board shall review in a public meeting evidence of progress toward achievement of the special education plan as a whole, the success of identification procedures specifically, and the effectiveness of implementation of IEPs.

Eligibility for State and Federal Funds

The superintendent shall ensure that all requirements for receiving, using and accounting for state and federal funds shall be fulfilled in an accurate and timely manner.

Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with law.

Access

In addition to educational programs, the board directs that the superintendent take into consideration physical access to district facilities for disabled pupils, staff and the community in determining location of programs or planning new facilities per state and federal law.

Formerly Policy JFCAA
Adopted: June 28, 2005
Addendum Policy 6171.4 – Statement of Assurances

Statement of Assurances

In accordance with Part B of the IDEA and N.J.A.C. 6A: 14-1.2(b) and (c), the Cherry Hill Board of Education shall assure compliance with the following:

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

Policy #3: 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 #4: 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 #5: Students with disabilities are included in Statewide and districtwide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A: 14-4.11.

Policy #6: Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A: 4-2.1 et seq.

Policy #7: 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 is in effect for the student by that date;

2. 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; and
3. 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.

Policy #8: Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter experience a smooth transition and that an individualized education program has been developed and is being implemented according to N.J.A.C. 6A: 14-3.3(e).

Policy #9: Full educational opportunity to all students with disabilities is provided.

Policy #10: The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6:3-6.

Policy #11: 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 #12: Students with disabilities who are placed in private school 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 #13: All personnel serving students with disabilities are appropriately certified and licensed, where a license is required.

Policy #14: 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;
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 extend possible with other professional development activities; and
5. Provide for joint training activities of parents and special education, related services and general education personnel.

<i>Legal References</i>	<u>N.J.S.A. 10:5-1 et seq.</u> <u>N.J.S.A. 18A:46-1 et seq.</u> <u>N.J.S.A. 18A:46-13</u> <u>N.J.S.A. 18A:46A-1 et seq.</u> <u>N.J.A.C. 5:23-7</u> <u>N.J.A.C. 6A:9-1.1 et seq.</u> <i>See particularly 6A:9-11:3</i> <u>N.J.A.C. 6A:7-1.7</u> <u>N.J.A.C. 6A:8-1.2</u> <u>N.J.A.C. 6A:8-1.3</u> <u>N.J.A.C. 6A:8-3.1</u> <u>N.J.A.C. 6A:8-4.1 et seq.</u> <u>N.J.A.C. 6A:8-5.1 et seq.</u> <u>N.J.A.C. 6A:14-1.1 et seq.</u> <u>N.J.A.C. 6A:15-1.4</u> <u>N.J.A.C. 6A:23-1.1 et seq.</u> <i>See particularly:</i> <u>N.J.A.C. 6A:23-3.4, -4.1 et seq.</u> <u>N.J.A.C. 6A:26-6.1 et seq.</u> <u>N.J.A.C. 6A:30-1.1 et seq.</u> <u>N.J.A.C. 6A:32-7.1 et seq.</u> <u>N.J.A.C. 6A:32-8.3</u> <u>No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C 6301 et seq.</u> <u>20 U.S.C. 1400 et seq. - Individuals With Disabilities Education Improvement Act</u> <u>20 U.S.C. 6511</u> <u>29 U.S.C. 794 et seq. - Section 504 of the Rehabilitation Act of 1973</u> <u>34 CFR 300 et seq. - Assistance to States for the Education of Children with Disabilities (IDEA Regulations 2004)</u> <u>Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)</u> <u>Honig v. Doe, 484 U.S. 305 (1988)</u>	<i>Law Against Discrimination</i> <i>Classes and Facilities for Handicapped Children</i> <i>See particularly:</i> <i>Auxiliary Services</i> <i>Barrier free subcode of the uniform construction code</i> <i>Professional Licensure & Standards</i> <i>Equality in school and classroom practices</i> <i>Standards & Assessments Scope</i> <i>Standards & Assessments Definitions</i> <i>Curriculum and instruction</i> <i>Implementation of the Statewide Assessment System</i> <i>Implementation of Graduation Requirements</i> <i>Special Education</i> <i>Bilingual programs for limited English proficient students</i> <i>Finance and Business Services</i> <i>Tuition rates</i> <i>Planning and Construction Standards for School Facilities</i> <i>Evaluation of the Performance of School Districts</i> <i>Student Records</i> <i>School Attendance</i> <i>Funding Comprehensive School Reform</i>
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<i>Cross References:</i>	<i>*1120</i>	<i>Board of education meetings</i>
	<i>2224</i>	<i>Equal Opportunity/Nondiscrimination/Harassment</i>
	<i>*4112.2</i>	<i>Certification</i>
	<i>*4131/4131.1</i>	<i>Staff development; inservice education/visitations/conferences</i>
	<i>*5114</i>	<i>Suspension and expulsion</i>
	<i>*5125</i>	<i>Pupil records</i>
	<i>*5131</i>	<i>Conduct/discipline</i>
	<i>*6145</i>	<i>Extracurricular activities</i>
	<i>*9322</i>	<i>Public and executive sessions</i>

This policy and statement of assurances replaces 6171.4: Policies and Procedures Concerning Special Education, adopted 9/17/90, amended 11/18/97

Statement of Assurances adopted: May 23, 2000

Policy adopted June 28, 2005

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