

**CODIFICATION REFERENCE NUMBER: M2461**

**DATE:** July 29, 2002

**SPECIAL EDUCATION/RECEIVING SCHOOLS**

To demonstrate compliance with N.J.A.C. 6A:14 and the Individuals with Disabilities Education Act, the Board adopts policies and regulations/procedures that are required. These policies and regulations/procedures will be submitted with a Special Education Assurance Statement for Receiving Schools for Policies and Procedures to the County Office of Education no later than February 28, 2002 for approval.

1. Students with disabilities who are placed in a receiving school by a district Board of Education must have an Individualized Education Program (IEP) in effect prior to the delivery of services.
  - a. Procedures regarding the student's IEP shall be developed and implemented to ensure that the receiving school determines whether the student's IEP can be implemented in that setting prior to accepting the student [N.J.A.C. 6A:14-7.5(b)1]; and
  - b. The student's teacher and, if appropriate, the student and other representatives of the receiving school will participate in meetings according to N.J.A.C. 6A:14-2.3(i)2.
  
2. The receiving school will collaborate with the sending district Board of Education in the provision of a free, appropriate public education for the population served, including students with disabilities who are suspended.
  - a. Procedures regarding the provision of a free, appropriate public education to students with disabilities who are suspended will be developed and implemented to ensure that school officials responsible for implementing suspensions/expulsions in the receiving school are identified.
  - b. Each time a student with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager of the sending district.
  - c. A system will be in place to track the number of days a student with disabilities has been removed for disciplinary reasons.
  - d. Suspension from transportation is counted as a day of removal if the student does not attend school.

- e. Removal for a portion of the school day is counted proportionately.
- f. If the receiving school has an in-school suspension program, participation in the program is not counted as a day of removal if the program provides the following:
  - (1) Opportunity for the student to progress in the general curriculum;
  - (2) Services and modifications specified in the student's IEP;
  - (3) Interaction with peers who are not disabled to the extent they would have interaction with in the current placement; and
  - (4) The student is counted as present for the time spent in the in-school suspension program.
- g. When a series of short-term removals will accumulate to more than ten school days in the year:
  - (1) School officials of the receiving school and the sending district case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(b)2;
  - (2) Written documentation of the consultation between school officials and the case manager of the sending district will be maintained;
  - (3) If it is determined there is no change in placement, school officials, the case manager of the sending district and special education teacher will consult to determine the extent to which services are necessary to:
    - (a) Enable the student to progress appropriately in the general education curriculum; and
    - (b) Advance appropriately toward achieving the goals set out in the student's IEP.
  - (4) Written documentation of the consultation and services provided will be maintained.
- h. Steps will be in place to review the behavioral intervention plan and, if necessary, convene the IEP team as required according to N.J.A.C. 6A:14 Appendix D, 34 C.F.R. §300-520(c) (1) and (2).

3. The compilation, maintenance, access to and confidentiality of student records will be in accordance with N.J.A.C. 6:3-6.
  - a. The IEP will be accessible to each teacher or service provider in accordance with N.J.A.C. 6A:14-3.7(a)2.
  - b. All student records will be returned to the sending district within fifteen calendar days of a student's last day of enrollment.
4. Students with disabilities who are placed in receiving schools by a district Board of Education will be provided special education and related services at no cost to their parents or legal guardian(s).
5. The programs and services provided by the receiving school will be in accordance with the requirements of N.J.A.C. 6A:14-1.1 et seq.
  - a. If a change in the delivery of special education or related services is necessary due to a change in personnel or student need, the receiving school will contact the sending district to convene an IEP team meeting to review and, if appropriate, revise the IEP.
6. All personnel serving students with disabilities will be appropriately certified and licensed where a license is required as stated in N.J.A.C. 6:11.
7. The receiving school will terminate the placement of a student with disabilities according to N.J.A.C. 6A:14-7.7(a) and (a) 1.
8. The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services will be identified and appropriate in-service training will be provided. The receiving school will maintain information to demonstrate its efforts to:
  - a. Prepare general and special education personnel with the 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 students with disabilities that impedes the learning of 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. Insure that in-service training is integrated to the maximum extent possible with other professional development activities;
- e. Provide for joint training activities of parents and special education, related services and general education personnel; and
- f. Procedures shall be developed and implemented to ensure that the training needs of paraprofessionals, professionals and parents of students with disabilities in the five specified areas are identified and met.