Cracking The Code: Demystifying Special Education
Who are we?
On average, special education budgetary expenses could account for up to 25% of the school’s overall budget.

In NEW JERSEY the percentage of students classified range from up to 8 TO 22%.

Boards approve tuition payments for OOD placements.

Boards need to approve special education legal settlements.
Knowing The Secret Language
• IDEA: Individuals with Disabilities Act
• FAPE: Free and Appropriate Education
• IEP: Individual Education Plan
• CST: Child Study Team
• PRISE: Parental Rights In Special Education
• ADA: Americans With Disabilities Act
• DP: Due Process

• SEPAC: Special Education Parent Advisory Committee – Works with the schools and parents to strengthen school-family relationships and supporting school initiatives.
Key Concepts of LRE

- Must be *individually determined* and based on a student’s individual needs (IEP)
- Applies to *all children with disabilities*
- The general education class is *always* the first choice
- *Consideration and use of supplementary aids and services* to make the general education class a first and viable option is *required*
N.J.A.C.6A:14- New Jersey Administrative Code

Timelines: Mandated through Code

Placements

O.O.D. Schools: District schools for students with disabilities

Settlements
“We are the Board, so why do we not participate in the Negotiation Process? What is our role?”
A due process hearing is designed to be a fair, timely and impartial procedure for resolving disputes that arise between parents and school districts regarding the education of students with disabilities.

“Can they really do this? Do we not have the last say?”
A voluntary dispute resolution process in which an impartial mediator assists the parties in resolving issues in dispute.

Mediation occurs at a meeting (conference) held by a mediator at a time and place reasonably convenient to the participants. The meeting will be scheduled 15 days of receipt of a written request.

Mediators are not employed by the SEA. They are selected on a rotating basis.

Either the parent or the school district may ask for mediation if there is a disagreement.

Mediation is provided at no cost to the parent or the school.
A Board Member’s right to confidential Special Education information is limited to Executive Session items only.
Special education student information is confidential and only accessible to those who are directly involved in the education of said student.

While board members approve the payment of tuition for out-of-district placements, they are not privy to any information as to the progress of a student and/or decision-making of placement considerations.
- Assistive Technology Device: equipment used to maintain or improve the capabilities of a child with a disability;
- any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. The term includes--
- (a) The evaluation of the needs of a child with a disability, including a functional evaluation of the child’s customary environment;
- (b) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- (c) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- (d) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- (e) Training or technical assistance for a child with a disability or, if appropriate, that child’s family; and
- (f) Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of that child.
Advocate (special education advocate): an individual who may not be an attorney, who assists parents and children to work in collaboration with their school district, regarding their children’s special education programs.
Key Points Of Collaborative Co-Teaching Collaborative

- Equal Partnership
- **Does Not** Openly Identify Special Education Students
- Partners Teach **Both** General and Special Education Students
- Partners Are Jointly Responsible
Interventions in the general education setting shall be provided to students exhibiting academic difficulties and shall be utilized, as appropriate, prior to referring a student for an evaluation of eligibility for special education and related services.

The staff of the general education program shall maintain written documentation, including data setting forth the type of interventions utilized, the frequency and duration of each intervention, and the effectiveness of each intervention.
Response to Intervention (RTI) is a multi-tier approach to the early identification and support of students with learning and behavior needs. These services may be provided by a variety of personnel, including general education teachers, special educators, and specialists. RTI is designed for use when making decisions in general education, by creating a well-integrated system of instruction and intervention guided by child outcome data.
What do I need to know?

What I Wanna know.
Board members have no right to interfere with the evaluation, classification, and placement process of any student.

Only members of the IEP team have input into the individual special education process.
A board member cannot remove his/her hat depending upon circumstance.

While parents/guardians can legally request the assistance and presence of an advocate during board meetings, a board member cannot serve in that role.
So What Else Do you Wanna know?
When questions arise about special education students…

It is always best to bunt to avoid going afoul!