

Montclair Public Schools: Department of Pupil Services Handbook



Dr. Jonathan Ponds, Superintendent of Schools
Dr. Kalisha Morgan, Assistant Superintendent of Equity, Curriculum & Instruction
Dr. David Goldblatt, Interim Director of Pupil Services

Table of Contents

- I. Montclair Mission, Vision and Core Beliefs
- II. Notice of Disclaimer
- III. Purpose of Handbook
- IV. Department of Pupil Services Mission, Vision, and Core Beliefs
- V. Introduction and Overview
- VI. Administrative Responsibilities
- VII. Members of the Child Study Team & Members of the IEP Team
- VIII. Child Study Team Referral Process & Timelines
- IX. Intervention & Referral Services (IRS) & Section 504
- X. Evaluation and Eligibility
- XI. Special Education Medicaid Initiative (SEMI)
- XII. Transition Services
- XIII. Out of District Placements
- XIV. Continuum of Services and Programs
- XV. Discipline of Students with Disabilities
- XVI. Manifestation Determination Meetings and Reviews
- XVII. Parental Rights in Special Education (PRISE)
- XVIII. Special Education Parent Advisory Council (SEPAC)
- XIX. Mediation and Due Process
- XX. Graduation
- XXI. Age of Majority
- XXII. Revocation of Services
- XXIII. Legal Notices and Appendices

I. Montclair Public Schools' Mission

The Montclair Public Schools District is dedicated to creating a culture of learning and continuous improvement that provides every child with a high quality, creative, innovative, and challenging education, through a magnet system of integrated schools in which every school represents a strong, diverse and vibrant community of learners.

Montclair Public Schools' Vision

The Montclair Public Schools will cultivate and support our students to become high academic achievers, curious and creative thinkers, and socially adept young people who are prepared for college and careers and livelihoods of the 21st century.

Core Beliefs

We believe:

- Challenging all students by providing high-quality opportunities is essential to student success.
- All children, regardless of circumstances, can achieve at high levels.
- Effective educators are key to improving growth in student achievement. In addition, the Board of Education and Central Office must promote an environment of continuous improvement and innovation that results in a high performing district that is 100% focused on student achievement and success.
- Supportive and engaged parents, guardians and members of our diverse community must be welcomed and encouraged to become active participants in the education of our students.

II. Notice of Disclaimer

This Pupil Services Handbook (“handbook”) is intended to be for general informational use only. The handbook serves as a guide in how the Montclair Public School District provides special education services as outlined and defined by the N.J.A.S.C. 6A - 14. Resources and additional information regarding Child Find Procedures and Special Education Policies and regulations can be found at: <https://www.state.nj.us/education/code/current/title6a/chap14.pdf>. Additionally, a copy of the Parents Rights in Special Education (PRISE) can also be obtained from the Department of Pupil Services.

III. Purpose of Handbook

The purpose of this handbook is to disseminate information to employees, as well as provide a frame of reference to families, parents, and caregivers within the Montclair Community. The purpose of this handbook is to serve as a blueprint for implementation of policies, procedures, and practices governing Special Education. It is a reference guide to not only support individual actions, but also a template to standardize departmental actions across the district. In the event you have any specific questions regarding Special Education, please do not hesitate to contact the Pupil Services Office.

IV. Department of Pupil Services Mission, Vision, and Core Beliefs

The Montclair Public Schools believe that all children have a fundamental right to an education appropriate to their needs.

The Department of Pupil Services (DPS) is committed to providing educational programs and services that will support meaningful educational progress for each student with special needs. The goal for students with special needs is the same as for all students, as stated in the DPS's Mission Statement: "...that students will be prepared to contribute meaningfully to the ever-changing global society." The DPS supports the education of students with disabilities with students who are non-disabled to the maximum extent appropriate, as determined by an IEP team, which includes the parent(s) and student. The DPS recognizes that this approach benefits the entire educational community. The DPS is committed to implementing best practices and innovative approaches to provide a broad and flexible range of program options.

The DPS recognizes that there are students whose needs cannot be met with the available range of in-district program options. When this occurs, the DPS works closely with other public school districts and private schools to provide needed services.

The DPS also recognizes that parents play a primary role in their child(ren)'s education. The DPS will foster, maintain, and further develop positive working relationships with parents, organizations and/or parent groups who advocate for students with special needs.

V. INTRODUCTION AND OVERVIEW

Welcome to the Montclair Public Schools Department of Pupil Services (DPS). In this manual, you will find insightful and important information that is designed to guide you in not only understanding, but following the process of special education within the Montclair Public School district. This manual is intended for the purpose of serving as a guide to answer questions and guide practices that are aligned with NJ State Law and regulations. Each district board of education is responsible for providing a system of free, appropriate special education and related services to students with disabilities age three through 21.

After a student is referred to the DPS, the letter is immediately sent to the child study team (CST) of the respective school. A case manager will then be assigned and will schedule an Identification meeting within the required time period to determine if an initial evaluation shall be conducted. In the event that a student is determined to be eligible to receive special education services (a “classified student”), the case manager is responsible for coordinating the student’s educational program with the support of parent(s)/guardian(s), and the input of both general and special education teachers.

Any *general or special education* teacher who has a classified student assigned to their classroom is required to read and understand the student’s Individualized Education Plan (IEP) at the beginning of the school year. **The student’s IEP must be accessed through Genesis by all certified staff that will support the student.** If the teacher has any questions or requires clarification on any portion of the IEP, they must contact the case manager or their building administrator (principal/assistant principal).

Teachers are required by the New Jersey Administrative Code 6A:14 (N.J.A.C. 6A:14) to attend certain meetings relative to their classified students. These IEP team meetings are scheduled during the course of the school day and at varying times of the year. Although every classified student’s IEP team must meet at least once a year the “Annual Review” (AR), additional IEP team meetings may be requested by a parent and scheduled to accomplish other special education tasks with the student’s case manager.

For every student’s Annual Review, and when otherwise requested by a case manager, supervisor or administrator, teachers are required to provide a summary of the student’s *Present Levels of Academic Achievement and Functional Performance (PLAAFPs)* in the areas in which they instruct the student

before the Annual Review as well as develop curriculum related goals and objectives for each of their classified students.

Teachers are directly responsible for the quarterly inputting and monitoring of progress reports and any modifications or accommodations employed in the classroom for said student. Regarding *Goals and Objectives*, teachers are equally responsible for inputting, reviewing, updating and adjusting student Goals and Objectives based on the student's growth and meaningful progress. In the event that a student is not making the expected progress on their goals and objectives, the teacher should notify the case manager and/or building administrator.

IEP team meetings are convened to develop the initial IEP, conduct an annual review of the students' program and placement, plan for reevaluation and revise a student's program and placement when the student is not making meaningful educational progress on their goals and objectives. In addition, the CST will confer with a child's special education teacher to discuss progress, confer on particular issues, and offer suggestions that will enhance the teaching and learning outcomes of the student.

VI. Administrative Responsibilities

Director of Pupil Services:

The responsibilities of the district's Director of Pupil Services include:

- Coordinates and assists the principal in the supervision of all special education teachers, child student team members and related service staff.
- Monitors and maintains district data on referrals, classifications, program placements, including out of district.
- Ensures district's eligibility criteria are consistently implemented.
- Assesses the strengths and needs of all district special education programs and services.
- Ensures all special education programs and services are compliant with state and federal regulations.
- Provides consultation and expertise to principals and child study team members.
- Establishes the district's Professional Development calendar for the child study team.
- Keeps the Superintendent of Schools informed of all significant student issues.

Principal (or Assistant Principal as designated by the Principal):

The responsibilities of the Principal include:

- Chair Intervention and Referral Services Team (I&RS/RTI).
- Schedules a minimum of two monthly I&RS meetings.
- Develops the I&RS agenda, and implements and monitors the data collection for I&RS.
- Supervision of case managers and CST/related service providers assigned to their building.
- Schedules a minimum of one monthly CST meeting.
- Develops the CST agenda, invites required participants, and maintains minutes.
- Ensures the district CST manual is utilized and consistently implemented.
- Observes and evaluates special education staff with the support of supervisors.
- Keeps the district's Director of Special Services informed of all significant school based issues.

Supervisor of Pupil Services:

The responsibilities of the Supervisors of Pupil Services include:

- Supports Principal, in assigned building(s), with observations and evaluations of special education staff.
- Attends monthly CST meetings scheduled by the building Principal.
- Monitors cases to ensure district's special education procedures are consistently implemented.
- Supports special education programs and services to ensure they are compliant with state and federal regulations.
- Provides consultation and expertise to principals and child study team members in assigned buildings.
- Completes other assigned tasks (e.g. SEMI monitoring, DLM implementation, state reports, et al)
- Keeps the Director of Pupil Services informed of all significant student issues.

VII. MEMBERS OF THE CHILD STUDY TEAM & MEMBERS OF THE IEP TEAM

Members of the Child Study Team (CST)

The Child Study Team is a multidisciplinary team comprised of the following members:

A. School Psychologist

School psychologists are uniquely qualified members of school teams that support students' ability to learn and teachers' ability to teach. They apply expertise in mental health, learning,

and behavior, to help children and youth succeed academically, socially, behaviorally, and emotionally. School psychologists partner with families, teachers, school administrators, and other professionals to create safe, healthy, and supportive learning environments that strengthen connections between home, school, and the community. School psychologists must be credentialed by the state in which they work. They also may be nationally certified by the National Association of School Psychologists (NASP). As a member of the CST, the school psychologist consults with the student's teachers and assesses the student's current cognitive (thinking and learning), social, adaptive, and emotional status. The activities involved in the evaluation vary at times from student to student but, in general, most children are given an intelligence test to determine their likelihood for success within the academic arena. For certain students the school psychologist may provide counseling, crisis intervention and/or consultative services.

B. Learning Disabilities Teacher/Consultant (LDT-C)

The Learning Disabilities Teacher-Consultant (LDT-C) is a teacher who functions in the school environment as an educational diagnostician, instructional programmer, Child Study Team member, educational consultant and instructional leader. LDT-C's work in collaboration with other members of a child study team to determine eligibility for special services. LDT-C's also consult with parents, teachers, and other school personnel to provide research-based instructional strategies to assist pupils struggling academically. An educational assessment is the responsibility of a learning disabilities teacher/consultant employed by the district board of education. It shall include review of the student's educational history, conferences with the student's teacher(s), and an evaluation and analysis of the student's academic performance and learning characteristics.

C. School Social Worker

The school social worker, evaluates students' affective and social skills, counsels students and parents, communicates with community agencies, consults with school staff, and conducts training activities. As a member of the Child Study Team, the social worker contributes to the CST evaluation process by conducting a "social history evaluation." The social history evaluation is an assessment of bio psychosocial factors (social, emotional, physical, behavioral and cultural) that may impact a child's adjustment to and performance in school. The school social worker may also provide counseling, crisis intervention and consultation services, as well as helping families' access community services.

D. Case Manager

In addition to their respective roles, the social worker, school psychologist, and learning consultant also serve as case managers for students receiving special education services. Students are assigned a case manager at the time of the referral; however, periodically there are changes in assignments. The case manager coordinates the evaluation process and IEP development, as well as the monitoring and evaluation of the effectiveness of the IEP. The case manager facilitates communication between home and school, and coordinates the annual review and reevaluation process. The case manager is knowledgeable about the student's educational needs and program, as well as special education procedures and procedural safeguards, and is responsible for transition planning. A speech/ language specialist may also serve as a case manager.

Members of the IEP Team:

The IEP Team is comprised of the following members:

A. Parent/Guardian

Parent means the natural or adoptive parent, the legal guardian, foster parent when willing to serve, a surrogate parent who has been appointed according to N.J.A.C. 6A: 14-2.2. A person acting in the place of a parent (such as a grandparent or stepparent with whom the student lives or a person legally responsible for the student's welfare). Unless parental rights have been terminated by a court of appropriate jurisdiction. Additionally, the term "parent" shall include the adult student.

B. General Education Teacher

Not less than one general education teacher of the student, if the student is or may be participating in the general education classroom; If the student has no general education teacher, a general education teacher who is knowledgeable about the district's programs, at the designated grade level, shall participate; The general education teacher as a member of the IEP team must, to the extent appropriate participate in the development, review, and revision of the student's IEP; The general education teacher shall assist in the determination of appropriate positive behavioral interventions and strategies; and the general education teacher shall assist in the determination of supplementary aids and services, program modifications or supports for school personnel that will be provided for the student.

C. Special Education Teacher

Not less than one special education teacher of the student or, where appropriate, not less than one special education provider of the student; If there is no special education teacher or special education provider of the student, a special education teacher or provider who is knowledgeable about the district's programs shall participate.

D. Child Study Team (CST) Member

At least one CST member who can interpret the instructional implications of evaluation results.

E. Case Manager

Case managers include the following: The social worker, school psychologist, and learning consultant also serve as case managers for students receiving special education services. Students are assigned a case manager at the time of the referral; however, periodically there are changes in assignments. The case manager coordinates the evaluation process and IEP development, as well as the monitoring and evaluation of the effectiveness of the IEP. The case manager facilitates communication between home and school, and coordinates the annual review and reevaluation process. The case manager is knowledgeable about the student's educational needs and program, as well as special education procedures and procedural safeguards, and is responsible for transition planning. A speech/ language specialist may also serve as a case manager.

F. District Representative

A representative of the district who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities; Is knowledgeable about the general education curriculum; Is knowledgeable about the availability of resources of the district board of education; and shall be a child study team member or other appropriate school personnel including the building principal or his/her designee.

G. Related Service Provider

Related services including, but not limited to, counseling, occupational therapy, physical therapy, school nurse services, recreation, social work services, medical services and speech-language services shall be provided to a student with a disability when required for the student to benefit from the educational program. Related services shall be provided by appropriately certified and/or licensed professionals as specified in the student's IEP.

H. Student

When appropriate, beginning at age 14, the student is required to participate in their IEP meeting. Student refers to a person aged three through 21 who is entitled to receive educational programs and services in accordance with Federal or State law or regulation.

I. Other Invited Guest(s)

At the discretion of the parent or school district, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate, may attend the IEP meeting.

J. Transition Coordinator

If the purpose of the meeting is to consider transition services, the student with disabilities and a representative of any other agency that is likely to be responsible for providing or paying for transition services shall be invited to attend the IEP meeting.

VIII. CHILD STUDY TEAM REFERRAL PROCESS & TIMELINES

A. Referrals

1. *What is a referral?*

- A referral is a written request for an initial evaluation to determine whether a student is eligible for special education and related services (N.J.A.C. 6A:14-1.3). A referral is made when one suspects a student may have a disability which may require special education and related services.

2. *Who can make a referral to the Child Study Team?*

- Referrals to the Child Study Team may come from a parent/guardian, school administrator, school staff member, a school committee such as Intervention and Referral Services (I&RS), or state agencies concerned with the welfare of the student.

For a parent/guardian to refer a student to the Child Study Team, the parent/guardian will mail a letter to the director:

Dr. David Goldblatt
Director
Pupil Services
22 Valley Road
Montclair, NJ 07042

The letter of direct referral should include the following information: student’s name, student’s date of birth, student’s home address, reason for concern, parent/guardian contact information, and parent/guardian signature. All referral letters must have a signature.

3. *When should a referral be made?*

- Most often, students who present with educational difficulties are brought to the attention of the I&RS committee prior to a referral being made to the CST. The I&RS committee develops interventions which will address the difficulties that the student is experiencing in the general education classroom. While this preceding step is not required, it is highly suggested. Typically when interventions in the general education classroom are not effective, a referral is made.

B. Referral Timelines

SPECIAL EDUCATION TIMELINE
<p>STEP 1 Within 20 days – Screening by Child Study Team (CST) to determine if evaluation is warranted</p>
<p>STEP 2 Within 15 days – written response from CST to determine whether or not an evaluation is warranted</p>
<p>STEP 3 If yes, written consent of “Parent” sought. Parent has 15 days to consider <i>NOTE: 90 days from date of written consent to evaluate child, and develop and implement IEP</i> <i>If parental consent is not given, then the CST cannot proceed with services</i></p>
<p>STEP 4 CST Evaluation <i>NOTE: If Parent disagrees with evaluation results, may request an independent evaluation;</i> <i>School district may contest this by filing for due process within 20 days</i></p>
<p>STEP 5 Eligibility Meeting / Classification Conference Parent must receive evaluation results 10 days prior</p>

<p>STEP 6 IEP developed by IEP Team <i>(NOTE: If parental consent is given, then the IEP is implemented. If consent is not given, then the IEP cannot be implemented)</i></p>
<p>STEP 7 IEP Implementation (Program, Placement and Services)</p>
<p>STEP 8 IEP Annual Review</p>
<p>STEP 9 Triennial Reevaluation</p>

IX. INTERVENTION AND REFERRAL SERVICES (I &RS)/ RTI & SECTION 504

“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 (N.J.A.C. 6A:14-3.3).”

The I&RS process must begin with a Pre-Referral Plan as developed and implemented by the teacher, school counselor or administrator who has identified a child who is experiencing academic or behavioral difficulties. The Pre-Referral Plan must include Specific Measurable Attainable Relevant and Timely (SMART) Goals and corresponding data. It should be noted that programs of Intervention and Referral Services (I&RS) may not be used to delay obvious and appropriate referrals to special education (N.J.A.C. 6A:14-3). *A building-based program of intervention and referral services is not necessarily a pre-referral intervention mechanism for CST evaluations.* An I&RS team is one of many resources used by schools to intervene with students exhibiting educationally handicapping conditions prior to CST evaluations. The Pre-Referral Plan as developed and implemented by the teacher, school counselor or administrator may serve as a source of data-driven evidence of interventions.

504 Plan

Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED). Section 504 provides: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" Thus a Section 504 is developed to ensure that students with medical or other disabilities have equal access to an education, covering any condition that limits daily activities in a major way. Qualified students may receive accommodations and modifications planned by persons knowledgeable about the students, the meanings of evaluation data, and placement and accommodation options. Information and resources regarding the district's 504 procedures can be found at <https://drive.google.com/file/d/1u7TynUt2qhlRYS-KjleKTwhaFGUjIw-r/view?ts=5cf7e3e8>.

X. EVALUATION AND ELIGIBILITY

A. Identification/Evaluation Planning

- The student's general and special education teachers attend this meeting to review a student's academic, social and emotional status to determine whether the student should be evaluated for the purpose of determining whether they would benefit from special education and related services.
- If the student does not have a general or special education teacher, a teacher who is knowledgeable about the district's programs and grade level curriculum and requirements is required to attend.
- If it has been determined that a student requires an evaluation, the CST has (90) calendar days to complete the evaluation process and reconvene with the family to review and discuss any findings – *note: an "evaluation" consists of an Educational, Psychological, and Social Assessment; however, depending on the need(s) of the child, additional evaluations can be recommended.*

B. Eligibility Determination

- The student's general and special education teachers attend this meeting to review whether the evaluative data and the student's classroom performance warrant a determination that the student is eligible to receive special education and related services from the District.
- In addition to the CST members, teachers, a school administrator, other certified school personnel who referred the student, the student where appropriate or others may attend the meeting.

C. Annual Review / Reevaluation IEP Meetings

- If the student is or may be participating in the general education classroom, a general education teacher in addition to a special education teacher must attend the meeting.
- At least one special education teacher must attend the meeting. If the special education teacher familiar with the student is unavailable, then a special education teacher familiar with district programming may attend.

D. Independent Evaluation/Observations

- Upon completion of an initial evaluation or reevaluation, a parent may request an independent evaluation if there is a disagreement with the initial evaluation or a reevaluation provided by a district board of education -- *note: a parent may be entitled to ONE independent evaluation at public expense each time the district board of education conducts an initial evaluation or reevaluation with which each parent disagrees.*
- Please note that **all** classroom observations conducted by an outside professional not employed by the district *must* be credentialed in the appropriate discipline being observed (i.e, Behaviorist, LDT-C, Psychologist, Speech, etc.), and must provide proof of such credentials to the student's case manager prior to any observation. Additionally, the outside consultant must be accompanied by a member of the CST in that respective discipline being observed -- **note: in an effort to minimize class disruptions, all observations shall not exceed one hour.**

E. Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g; 34 CFR Part 99, is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Additionally,

- FERPA defines "**directory information**" as **information** contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed.
- For more information, please visit: <https://www2.ed.gov/policy/gen/guid/fpco/faq.html>

F. Transfers

1. When a student with a disability transfers from another New Jersey school district or from a state facility, or from an out of state school district, the CST conducts an immediate review of the evaluation information and the IEP. If records are complete, the case manager shall immediately request CST records from the district of last attendance. The CST members may accept/reject records/evaluations.

If the parents and/or guardians and the district agree, the IEP is implemented as written with appropriate notice and handouts.

The student is provided a program through an interim IEP that is consistent with the current IEP when:

- a. The CST disagrees with the current evaluation(s) and/or the current IEP.
- b. The parent disagrees with the proposed revisions to the IEP.
- c. Supplemental evaluations are required.

In cases when the records from the previous school district are incomplete or not available, the CST immediately places the student into an interim educational program consistent with the available information, and completes any evaluations and develops or revises the IEP without delay.

If it is recommended that the student continue to attend a private out of district school arranged for by a former New Jersey school district, the Director of Special Services must be advised.

If transportation is required, the case manager shall complete the transportation request form.

XI. **SPECIAL EDUCATION MEDICAID INITIATIVE (SEMI)**

The purpose of the Special Education Medicaid Initiative (SEMI) program is to recover a portion of cost for certain health-related services considered medically necessary in the student's Individualized Education Program (IEP). Medicaid-covered school-based health services include:

- Evaluation services to determine a student's health care needs;
- Physical therapy;
- Occupational therapy;
- Speech therapy;
- Psychological counseling;
- Nursing services; and

- Specialized transportation services

In order to maximize the district's SEMI reimbursement, all services provided are expected to log services in the PCG claiming system platform on an ongoing basis

XII. TRANSITION SERVICES

Transition services for students, is defined in accordance with the N.J.A.C. 6A:14-3.7(e)11 as indicated below:

Transition at age 14:

Beginning with the IEP in place for the school year when the student will turn age 14, or younger if determined appropriate by the IEP team, and updated annually:

- A. A statement of the student's strengths, interests and preferences;
- B. Identification of a course of study and related strategies and/or activities that:
 1. Are consistent with the student's strengths, interests, and preferences; and
 2. Are intended to assist the student in developing or attaining postsecondary goals related to training, education, employment and, if appropriate, independent living;
- C. As appropriate, a description of the need for consultation from other agencies that provide services for individuals with disabilities including, but not limited to, the Division of Vocational Rehabilitation Services in the Department of Labor; and
- D. As appropriate, a statement of any needed interagency linkages and responsibilities. N.J.A.C. 6A:14-3.7(e)11

Transition at age 16:

Beginning with the IEP in place for the school year when the student will turn age 16, or younger if deemed appropriate by the IEP team, a statement consisting of those elements set forth in (e)11 above and appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, if appropriate, independent living and the transition services including a course of study needed to assist the child in reaching those goals. N.J.A.C. 6A:14-3.7(e)12

Secondary level students may be placed in community rehabilitation programs for vocational rehabilitation services according to the following: Community rehabilitation programs shall be approved by a State agency, including, but not limited to, the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, the New Jersey Department of Human Services, Commission for the Blind and Visually Impaired and the Department of Human Services, Division of Developmental Disabilities, to provide vocational evaluation, work adjustment training, job coaching, skill training, supported employment and time-limited job coaching. N.J.A.C. 6A:14-4.7(i)

XIII. OUT OF DISTRICT PLACEMENTS

When the IEP team determines that a disabled student shall be placed out of district, the case manager shall notify the Office of Pupil Services (inform direct Supervisor and/or Director of intent/need to place).

The Case Manager Shall:

- a. If appropriate, an evaluation/reevaluation is completed
- b. Case manager informs Director of Special Services/ Supervisor of potential out of district placement.
- c. After a determination of eligibility, the Case manager contacts an out of district case manager to assist in determining the appropriate schools to consider. Additionally, the school must be accredited and approved in accordance with N.J.A.C 6A:14-6.5.

If accepted and the IEP team agrees to placement, the case manager shall:

- a. Complete a transportation request form and submit it along with a copy of the student's IEP to the DPS.
- b. Complete a notification of placement form and submit to the DPS. DPS will forward the notification of placement to the New Jersey State Department of Education, Office of Special Education Programs.
- c. In accordance with N.J.A.C. 6A:14-4.1 . A new IEP needs to be completed and an IEP meeting held at the new Out-of- district placement within 30 days of placement.

For all Out-of-district to in-district placements, the case manager shall:

- a. Out of district Case Manager visits potential options for in-district placement and consultants CST members and administrators regarding potential placement.
- b. Case Manager notifies direct Supervisor and/or Director of the potential change in placement
- c. Case Manager schedules a visit to potential placement with student and parent.
- d. Out of district Case Manager and school staff meet with student, parent and CST to discuss any issues, needs and/or concerns related to placement. All pertinent records (evaluations, IEP, progress reports, etc.) are reviewed.
- e. If accepted, the Case Manager schedules and conducts an IEP meeting. Input from receiving school staff is included in the development of the IEP.

XIV. CONTINUUM OF SERVICES AND PROGRAMS

The Department of Pupil Services provides an array of services at each level for students in the Montclair Public Schools. Below is a breakdown by grade:

A. Pre-K & Elementary

- Developmental Learning Center (DLC): Inclusion (in district and within community preschools) ; Self-Contained
- Nishuane: In-class Support (ICS); Resource Center; Self-Contained Autistic; Self-Contained (LLD)
- Hillside: In-class Support (ICS); Resource Center (Departmentalized); Resource Room; Self-Contained Language and Learning Disability class (LLD) (Departmentalized)
- Charles H. Bullock: In-class Support (ICS); Resource Center; Self-Contained BD/ED (Behavioral and Emotional Disabilities)
- Bradford: In-class Support (ICS); Resource Center; Self-Contained Autistic
- Northeast: In-class Support (ICS); Resource Center; Self-Contained MD (Multiple Disabled)
- Edgemont Montessori: In-class Support (ICS)
- Watchung: Resource Center; Self-contained Language and Learning Disability (LLD)

B. Secondary

Middle Schools

- Buzz Aldrin Middle School: Resource Center/In-class Support (ICS); Self-Contained Autistic; Self-contained MD (Multiple Disabled); Self-contained LLD
- Glenfield Middle School: Resource Center/In-class Support (ICS); Self-contained LLD (Science and Social Studies only); Resource Center Departmentalized (Math only)
- Renaissance Middle School: Resource Center/In-class Support (ICS); Self-contained BD (Behavioral Disabilities)

Montclair High School

Services include: Structured Learning Experience(SLE); Community Based Instruction (CBI); Resource Services (In-class Support (ICS)/ Pull out Replacement (POR); Self-Contained Learning and Language Disabilities (LLD); Self-contained Multiply Disabled (MD); Behavioral Disabilities (BD).

C. Extended School Year (ESY)

The IEP team shall make an individual determination regarding the need for an extended school year program (ESY). An ESY program provides for the extension of special education and related services beyond the regular school year. An ESY program is provided in accordance with the student's IEP when an interruption in educational programming causes the student's performance to revert to a lower level of functioning and recoupment cannot be expected in a reasonable length of time. The IEP team shall consider all relevant factors in determining the need for an extended school year

program. When transportation is required, all transportation forms should be sent to the transportation department before April 30th of the current school year.

D. Home-instruction (HI)

A Student with a disability shall have his or her IEP implemented through 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. Please see the link for Home Instruction Handbook below.

<https://drive.google.com/file/d/1ogFXEMloRaib9nERHZAVkqZ3z2TH8hJI/view?ts=5cf7e5d3>

***** Please note that services are constantly reviewed and re-evaluated to meet the needs of our students at the various levels and are subject to change based on State regulations *****

XV. DISCIPLINE OF STUDENTS WITH DISABILITIES

For disciplinary reasons, school officials may order the removal of a student with a disability to an interim alternative educational setting, another setting, or a suspension for up to 10 consecutive or cumulative school days in a school year. Such suspensions are subject to the same district BOE procedures as non-disabled students. When a pupil with a disability is suspended, the Administrator (principal or assistant principal) shall hold an informal hearing (face to face meeting with the student), maintain a copy of the incident report and notify the parent and the case manager of the suspension in writing.

- A. When a series of short removals accumulate to more than 10 school days in the year:
1. The administrator may, on a case to case basis, consider any unique circumstances when determining whether to impose a disciplinary sanction or order a change of placement as per N.J.A.C. 6A:14-2.8(b).
 2. The Administrator and the case manager will consult to determine whether the removals create a change of placement according to N.J.A.C. 6A: 14-2.8(c) 1-2

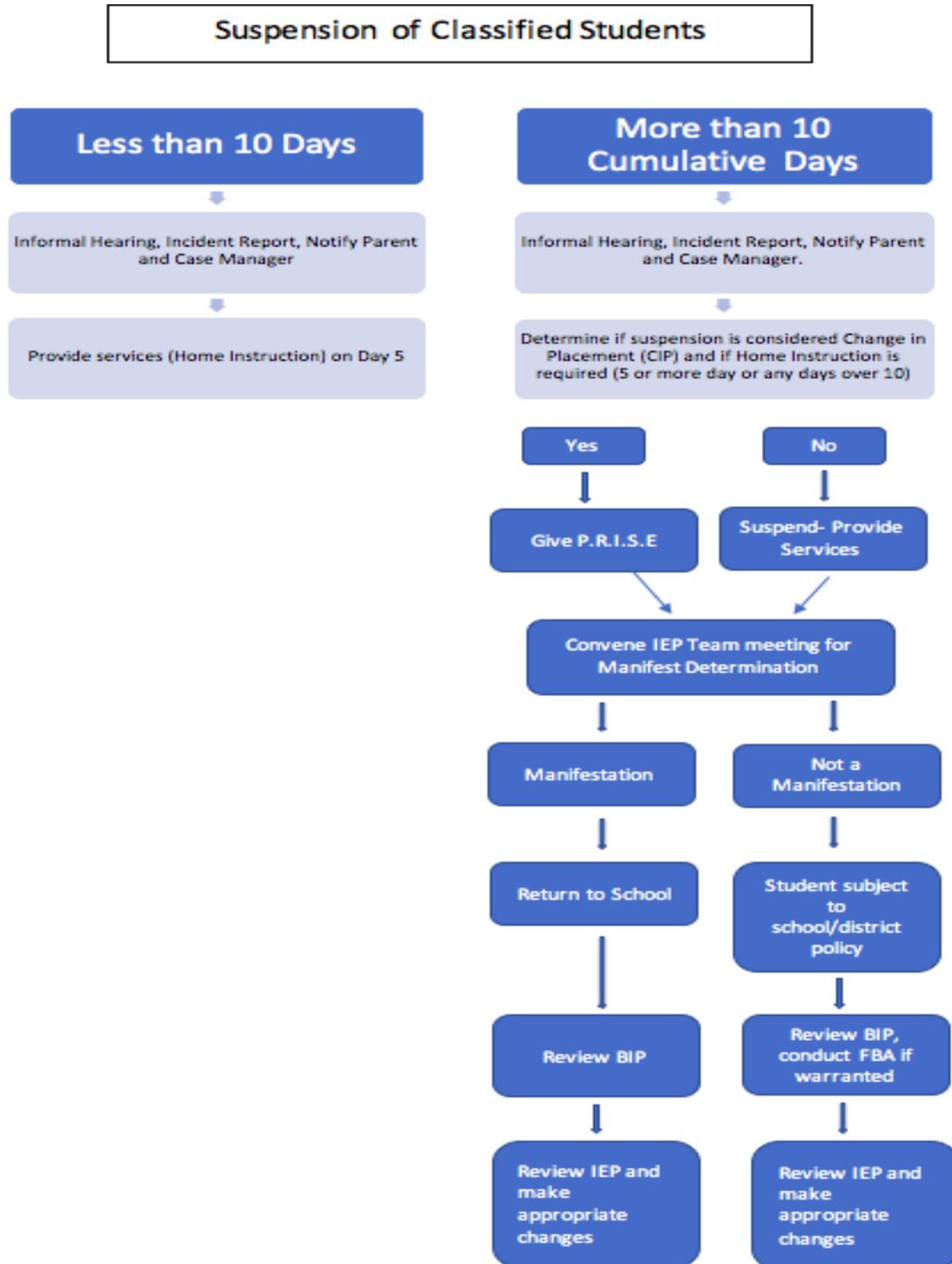
B. Change in Placement

A removal is a Change in Placement (CIP) when:

1. The removal is for more than 10 consecutive days; or
2. The series of short-term removals constitute a pattern because of factors such as the length of the removal, the total amount of time the student is removed and the proximity of the removals to one another.

XVI. MANIFESTATION DETERMINATION MEETINGS AND REVIEWS

In certain circumstances, if a classified student engages in behavior which constitutes a violation of the Code of Conduct, a meeting may be called to determine whether the behavior is related to the student's disability or the district's failure to provide the supports, modifications and accommodations set forth in the IEP.



Suspension from Transportation

1. Suspension from transportation is not counted as a day of removal if the student attended school.
2. Suspension from transportation is counted as a day of removal if the school district does not make available an alternate means of transportation and the student does not attend schools
3. Suspension from transportation may be counted as a day of absence rather than a day of removal if the district made available an alternate means of transportation and the student does not attend school.

In-School Suspension

1. When a pupil with a disability participates in an in-school suspension program, this will count as suspension unless the program provides the following:
 - a. Opportunity for students to participate in the general education curriculum
 - b. Services and modifications specified in the IEP
 - c. Interaction with peers commensurate with the IEP
 - d. Services do not penalize the student with regard to grades, credit, or attendance
 - e. Certified teacher (general or special education)

XVII. PARENTAL RIGHTS IN SPECIAL EDUCATION (P.R.I.S.E.)

Students with disabilities are protected under federal law, the Individuals with Disabilities Education Act (IDEA), as well as state law. These laws require school districts to provide a **Free Appropriate Public Education (FAPE)** to eligible students. This means that children with disabilities are entitled to special education and related services designed to meet their unique needs. If parents believe that their child may need special education services, they can request that the local school district evaluate the child. Parents then become members of a team that will make decisions about the student's education through the creation of an Individualized Education Program (IEP). Parents' input and role in this process are important since they are involved in determining what action will be taken to address their child's needs. The Department of Education (DOE) has developed a booklet to assist parents in understanding their role and rights under the law so they can advocate for their child. The publication, Parental Rights in Special Education (PRISE) is available in multiple languages through local schools district or DOE's website provided here: <http://www.state.nj.us/education/specialed/form/>.

XVIII. SPECIAL EDUCATION PARENT ADVISORY COUNCIL (S.E.P.A.C.)

The Special Education Parent Advisory (SEPAC) is a group of parents, professionals and concerned community members who meet monthly with the administrators of Montclair's Special Education Programs to share information and ideas, raise and resolve concerns, and ensure that issues affecting children with special needs are given the attention they deserve.

The Parent Advisory Council's (PAC) goals are to improve the instructional process for children classified for Special Education and Related Services and to promote the inclusion of children with special needs, with the necessary support, within their schools and the community at large. We encourage following

"best practices" in the identification and evaluation of students with special needs and in the provision of special education services. The PAC seeks to keep parents informed and involved in their children's education by providing an arena to address policy issues and problems related to their children's education by providing topical workshops that address identified problems and by encouraging innovative educational practices. For questions, or to be added to the confidential email list, please contact MontclairSEPAC@gmail.com

XIX. MEDIATION & DUE PROCESS

A. Mediation

Mediation is a voluntary process that is available to resolve disputes. Mediation shall be available for students age three through 21 years of age when there is a disagreement regarding identification, evaluation, classification, educational placement or the provision of a free, appropriate public education -- *note: A request for mediation shall not deny the right to request a due process hearing; and mediation may be agreed to by a parent and school district in place of the resolution meeting described in N.J.A.C. 6A: 14-2.7.*

B. Due Process

A due process hearing is an administrative hearing conducted by an administrative law judge. For students aged three through 21 years, a due process hearing may be requested when there is a disagreement regarding identification, evaluation, reevaluation, classification, educational placement, the provision of a free appropriate education, or disciplinary action. For students above age 21, a due process hearing may be requested while the students receive compensatory educational or related service.

XX. GRADUATION

- A. A student with a disability shall meet the high school graduation requirements according to N.J.A.C. 6A:8-5.1(c), except as specified in the student's IEP.
- B. Graduation with a State endorsed diploma is a change of placement that requires written notice according to N.J.A.C. 6A:14-2.3
 - 1. As part of the written notice, the parent shall be provided with a copy of the procedural safeguards statements published by the Department of Education.
 - 2. In accordance with N.J.A.C. 6A:14-3.8 a re-evaluation shall not be required.
 - 3. When a student graduates or exceeds the age of eligibility, the student shall be provided a written summary of his or her academic achievement and functional performance prior to the date of the student's graduation or the conclusion of the school year in which he or she exceeds the age of eligibility. The summary shall include recommendations to assist the child in meeting his or her postsecondary goals.
- C. If a student attends a school other than that of the school district of residence which is empowered to grant a diploma, the student shall have the choice of receiving the diploma of the school attended or the diploma of the school district of residence.

1. If the school the student is attending declines to issue a diploma to the student, the district of residence board of education shall issue the student a diploma if the student has satisfied all State and local graduation requirements, as specified in the student's IEP.
- D. Students with disabilities who meet the standards for graduation shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

XXI. AGE OF MAJORITY

When your child reaches age 18, all rights under special education law will transfer to your child unless a court has appointed a legal guardian for your child. Both you and your adult student will receive all the required notices contained within these parental rights. At least three years before your child turns age 18, the school district must inform both you and your child of the transfer of these rights.

XXII. REVOCATION OF CONSENT

In accordance with N.J.A.C 6A:14-2.3, if consent for special education and related services is revoked by the parent, the district board of education shall not file for a due process hearing or otherwise institute any legal proceeding seeking to overturn the parent's determination.

When a parent revokes consent for special education and related services, the school district shall provide written notice to the parent within 10 days of receipt of the written revocation of consent. The school district shall cease providing special education and related services to the student after the expiration of the 15- calendar day notice period unless the parent rescinds the revocation of consent in writing within that time period. The district is not required to amend the educational record or remove any references to the student's receipt of special education and related services due to the consent revocation.

A. Declassification

1. Prior to a student being declassified, a reevaluation shall be conducted when a change in eligibility is being considered, except that a reevaluation shall not be required before the termination of a student's eligibility due to graduation or exceeding age 21.

XXIII. LEGAL NOTICES AND ADVISORIES

XXVI. APPENDICES

APPENDICES

**Special Education Medicaid Initiative (SEMI)
Parental Consent form Montclair School District**

Our school district is participating in the Special Education Medicaid Initiative (SEMI) program that allows school districts to bill Medicaid for services that are provided to students.

In accordance with the Family Educational Rights and Privacy Act, 34 CFR §99.30 and Section 617 of the IDEA Part B, consent requirements in 34 CFR §300.622 require a one-time consent before accessing public benefits.

This consent establishes that your child's personally identifiable information, such as student records or information about services provided to your child, including evaluations and services as specified in my child's Individualized Education Program (IEP) (occupational therapy, physical therapy, speech therapy, psychological counseling, audiology, nursing and specialized transportation,) may be disclosed to Medicaid and the Department of the Treasury for the purpose of receiving Medicaid reimbursement at the school district.

As parent/guardian of the child named below, I give permission to disclose information as described above and I understand and agree that Medicaid may access my child's or my public benefits or public insurance to pay for special education or related services under Part 300 (services under the IDEA). I understand that the school district is still required to provide services to my child pursuant to his or her IEP, regardless of my Medicaid eligibility status or willingness to consent for SEMI billing

I understand that billing for these services by the district does not impact my ability to access these services for my child outside of the school setting, nor will any cost be incurred by my family including co-pays, deductibles, loss of eligibility or impact on lifetime benefits.

Child's Name: _____

Child's Date of Birth: ____/____/____

Parent/Guardian: _____

Date: ____/____/____

I give consent to bill for SEMI: Yes **

No **

**** This consent can be revoked at any time by contacting your child's Case Manager, or the administrator at your child's school, in writing ****



MONTCLAIR BOARD OF EDUCATION

Montclair Public Schools - Montclair NJ 07042

Administration Building – 22 Valley Road

(973) 509-4000

INFORMATION CONSENT FORM

Student's Name: _____ School: _____ Grade: _____

Address: _____

CST Case Manager: _____ Phone # _____

Address: _____

I, _____, authorize the Montclair Public Schools, Department of Pupil Services to give and receive verbal and written information to and from:

Person(s): _____

Organization(s): _____

Street: _____

City, State, Zip: _____

Purpose/Need for Disclosure: _____

Extent/Nature of information to be released:

- | | |
|--|---|
| <input type="checkbox"/> IEP | <input type="checkbox"/> Psychological and/or Neuropsychological Evaluation |
| <input type="checkbox"/> Educational Evaluation | <input type="checkbox"/> Social/Family/History |
| <input type="checkbox"/> Physical/Health Information | <input type="checkbox"/> Treatment Progress/Notes |
| <input type="checkbox"/> Legal | <input type="checkbox"/> Speech |
| <input type="checkbox"/> Psychiatric Other | |

This consent is subject to revocation at any time except to the extent that action has already been taken. This consent will expire without express revocation on _____ or at which time it is no longer reasonably necessary to effectuate the purpose for which it is given.

Any information, which has been disclosed to you from the Montclair Public Schools, comes from records whose confidentiality is protected by federal law. Federal Regulation (42 CFR-Part 2) prohibits you from making any further disclosure of it to any other individuals without the specific written consent of the person to whom it pertains, or as otherwise permitted by such regulations. A General Authorization for the release of medical or other information is NOT sufficient for this purpose.

Date: _____

Signature of Parent, Guardian, or person authorized by law to give consent

Signature of Witness and/or CST Member

Office of Special Education Policy and Procedure

NOTIFICATION OF PLACEMENT

This form is used by the district of residence to notify the County Office of Education when placing a student with a disability on **Home Instruction** [N.J.A.C. 6A:14-4.8(a)] or in an out-of-district **Receiving School** [N.J.A.C. 6A:14-7.5(b)]. It is also used by the receiving school to notify the County Office of Education of the student's first day of attendance. **See attached detailed instructions before completing this form.**

Identifying Information:

District of Residence _____ County _____

Student's Name _____ Date of Birth _____

Reason for Placement: Explain reason for student's placement, attach additional pages if necessary.

Date Placed: _____ to _____

Program:

Home Instruction _____ Initial 60 days Renewal # _____ for additional 60 days

Receiving School [N.J.A.C. 6A:14-7.1(a)].

School/Facility Name _____ Location _____

(Check one)

- | | |
|--|---|
| _____ Educational Services Commission | _____ County Special Services School District |
| _____ Jointure Commission | _____ Marie Katzenbach School for the Deaf |
| _____ Public College Operated Program | _____ Regional Day School |
| _____ Approved Private School for Students with Disabilities | |
| _____ Community Rehabilitation Program [N.J.A.C. 6A:14-4.7(i)] | |

Certification. I certify that this information is complete and in compliance with N.J.A.C. 6A:14.

Chief School Administrator or Designee _____
Printed Name

_____ Signature _____ Date

Phone Number _____

Receiving School Acknowledgment. Complete and send to the County Office of Education.

_____ Date of student's first day of attendance Receiving School Director _____
Printed Name/signature Date

**New Jersey State Department of Education
Office of Special Education Policy and Procedure**

**NOTIFICATION OF PLACEMENT
INSTRUCTIONS**

NOTE:

- A completed form must be sent to the County Office of Education **prior to** placing a student with a disability on home instruction [N.J.A.C. 6A:14-4.8(a)1].
- A completed form and current IEP must be sent to the County Office of Education **within ten (10) calendar days** of placing a student with a disability in a Receiving School [N.J.A.C. 6A:14-7.5(b)].
- Notification **is not required** if the out-of-district placement is another public school.
- Re-notification **is not required** if the student attends the same Receiving School each school year.

DIRECTIONS:

District of residence shall:

- 1) complete the form, including identifying information;
- 2) attach a copy of the student's individualized education program (IEP) that *reflects the instruction to be provided in the placement indicated on the form* (**Note: IEP is required ONLY for Receiving School placements**);
- 3) send the completed form and the student's IEP to the County Office of Education of residence.

Reason for Placement: Briefly describe why the student was placed on home instruction or in a Receiving School.

Date Placed: Indicate the anticipated start date of home instruction or Receiving School placement.

Home Instruction:

- 1) Indicate if the notification is for an initial placement of home instruction by placing a check mark on the line.
- 2) Indicate whether the notification is for a 60-day renewal of home instruction by writing the number of renewal (e.g., 1st, 2nd, etc.) on the line.

Receiving School Placement.

- 1) Print the name of the school/facility.
- 2) Print the location of the school/facility.
- 3) Place a check mark on the line next to the type of Receiving School the student will attend.

Receiving school shall use the copy of this form received from the district of residence to:

- 1) input the date of the student's first day of attendance at the receiving school;
- 2) sign and date the form;
- 3) send a copy to the County Office of Education.



**ESSEX REGIONAL EDUCATIONAL SERVICES COMMISSION
TRANSPORTATION DEPARTMENT
333 Fairfield Road
Fairfield, New Jersey 07004
Tel: (973) 405-6262 / Fax: (973) 405-6566**

LAURIE W. NEWELL, Ph.D
Superintendent

IVELISSE VERAS
Associate Director

Board Of Ed.: _____ District Code: _____ County Code: _____ Addition: ___ Cancellation: ___ Address Change: ___ Summer: ___

Student Name: _____ Birth Date: _____
Last First M.I. xx/xx/xxxx

Address: _____
Street Address Apartment/Unit #

City State Zip Code

Student ID #: _____

Parent/Guardian Name: _____
Last First

Home Phone #: _____ Emergency Phone #: _____

School to be attended: _____ Phone #: _____

School Address: _____
Street Address City State Zip Code

Hours of Attendance: From ___ : ___ AM To ___ : ___ PM
Transportation Start Date: _____ Transportation End Date: _____

Grade: _____ School County: _____ School District: _____ Special Education Classification: _____

Shared Time Vocational ___ Transported in Wheelchair ___ Medical Vehicle ___ EMT ___ Personal Aide ___ Bus Aide ___

Additional Instructions if Applicable:

Case Manager: _____ Date: _____ Phone #: _____



MONTCLAIR BOARD OF EDUCATION

Montclair Public Schools - Montclair NJ 07042

Administration Building – 22 Valley Road

(973) 509-4000

Genesis Update Form

Date of request: _____

Name of Student: _____ ID# _____

Parent Email address: _____

Change requested:

From:

To:

Person Requesting: _____ Title: _____

Administrators Signature: _____ Date: _____

Date completed: _____

Form will be returned to requesting staff member