

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES



**Teaneck Community Charter School**  
Special Education Policy Manual

Updated September 2021

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**SPECIAL EDUCATION POLICY MANUAL**

**TABLE OF CONTENTS**

<b>Section</b>	<b>Page</b>
I. Overall Policy	2
II. Location, Identification, and Referral to I&RS and CST	4
III. Child Study Team	9
IV. Individualized Education Plans	20
V. Free And Appropriate Public Education	30
VI. Dispute Resolutions	35
VII. Staff Development	36
VIII. Surrogate Parents And Foster Parents	37
IX. Glossary of Terms	39
<b>Appendices</b>	<b>Page</b>
A. Special Education Staff	45
B. Child Study Team Members	47
C. Intervention and Referral Services Committee	48
D. Child Study Team Initial Referral Checklist	49
E. Key New Jersey Special Education Timelines	51
F. Special Education Service Offered	55
G. Special Education Service Providers	57
H. Special Education Parent Involvement Plan	58
I. IDEA Plan	59

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**I. OVERALL POLICY**

The Teaneck Community Charter School Board of Trustees assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

1. All pupils with disabilities, who are in need of special education and related services, including pupils with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3;
2. Homeless pupils are located, identified, and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.;
3. Pupils with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4;
4. An Individualized Education Program (IEP) is developed, reviewed and, as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7;
5. To the maximum extent appropriate, pupils with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2;
6. Pupils with disabilities are included in Statewide and district-wide assessment programs with appropriate accommodations, where necessary according to N.J.A.C. 6A:14-4.10. All pupils with disabilities will participate in Statewide assessments or the applicable Alternative Proficiency Assessment in grades three, four, five, six, seven, eight, and eleven in accordance with their assigned grade level.
7. Pupils with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent, when appropriate
8. A free appropriate public education is available to all pupils with disabilities between the ages of three and twenty-one, including pupils with disabilities who have been suspended or expelled from school.
  - a. The obligation to make a free, appropriate public education available to each eligible pupil begins no later than the pupil's third birthday and that an individualized education program (IEP) is in effect for the pupil by that date;
  - b. If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP will begin;
  - c. A free appropriate public education is available to any pupil with a disability who is eligible for special education and related services, even though the pupil is advancing from grade to grade;
  - d. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are based on the pupil's unique needs and not on the pupil's disability; and
  - e. The services and placement needed by each pupil with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the pupil's home as possible and, when the IEP does not describe specific restrictions, the pupil is educated in the school he or she would attend if not a pupil with a disability.
9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP developed and implemented according to N.J.A.C. 6A:14- 3.3(e) and

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- N.J.A.C. 6A:14-3.7.
10. Full educational opportunity to all pupils with disabilities is provided;
  11. The compilation, maintenance, access to, and confidentiality of pupil records are in accordance with N.J.A.C. 6A:32-7;
  12. Provision is made for the participation of pupils with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2;
  13. Pupils with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3;
  14. All personnel serving pupils with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law;
  15. 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 shall maintain information to demonstrate its efforts to:
    - a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;
    - b. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of pupils with disabilities that impedes the learning of pupils with disabilities and others;
    - c. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
    - d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
    - e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.
  16. Instructional material will be provided to blind or print-disabled pupils in a timely manner.
  17. For pupils with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services the district will provide, pursuant to the Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent(s) to apply for such services.
  18. The school district will not accept the use of electronic mail from the parent(s) to submit requests to a school official regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education.
  19. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each pupil's IEP.
    - a. The school district shall provide an Assurance Statement to the County Office of Education that the Board of Education has adopted the required special education policies and procedures/regulations and the district is complying with the mandated policies and procedures/regulations.
    - b. N.J.A.C. 6A:14-1 et seq. 20 USC §1400 et seq. 34 C.F.R. §300 et seq.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**II. LOCATION, IDENTIFICATION, AND REFERRAL**

All pupils with disabilities, who are in need of special education and related services, including pupils with disabilities attending nonpublic schools, and highly mobile pupils such as migrant workers' children and homeless pupils regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3.

**A. Procedures for Locating Students with Disabilities**

1. The Executive Director and/or Director of Special Services will coordinate the Child Find activities to locate, identify and evaluate all children enrolled in the charter school or served by the state agency and who may be disabled.
2. By November 30th of each school year, the Executive Director or his/her designee will conduct child find activities including but not limited to:
  - a. Development of Child Find materials for distribution.
  - b. Distribution of flyers to the parents of all pupils enrolled in the school district.
  - c. Public service announcements on the local foreign language radio stations and cable television stations in the following languages: English Spanish
  - d. School handbooks distributed to parents contain information describing special education services.

**B. Procedures for Intervention in the General Education Program**

Overview of Requirements: NJAC 6A.14 mandates that interventions in general education must be provided to students exhibiting academic difficulties and must be utilized, as appropriate, prior to referring a student for an evaluation for special education. The code further mandates that general education classroom teachers must maintain written documentation that includes data describing the type of intervention utilized, when and how often it was utilized, and the effectiveness of each intervention.

**District Procedures**

Classroom teachers, including specialists, are always the first level of intervention. Every teacher is expected to provide and document classroom interventions.

A referral to the Child Study Team for an evaluation should be made only after documented interventions have been attempted for a specified period of time.

Alternatives to be utilized Prior to Consultation are:

1. Recognize that a student is behaving atypically in a learning situation (i.e. a student cannot master basic skills, is easily distracted, serves as a distraction to others) and implement measurable and observable methods to alleviate academic and/or social problems within the classroom setting. Examples include, but aren't limited to:
  - a. Proper seating position for a student who evidences a reading and/or math problem
  - b. A more structured program for a student with antisocial behavior (BMP)
  - c. An adjustment of the school schedule, etc.
2. If a student does poorly in academic areas, he shall be considered for ancillary services, e.g., ELL,

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

Speech, etc.

3. All existing and suspected medical problems, including vision and hearing, shall be referred to the school nurse for evaluation and follow-up. (Any referrals made to the Child Study Team from the I&RS team will have had a vision and hearing screening done by the school nurse prior to the referral being made)
4. The parent(s) shall be included and involved in academic and social planning. The teacher for additional suggestions and support shall consult the child study team, guidance counselor/social worker or principal.
5. If the parent and teacher are not satisfied with the progress of the student then a conference with the parents and administration should be scheduled to determine further action.
6. Discussion should center on the particular problem and possible salutations and/or supports rather than emphasizing referral to the I&RS team or 504 Committee
7. When the teacher has exhausted all possible classroom based interventions, the teacher should refer the student to the school based Intervention and Referral Services (I&RS) Team.

**Intervention and Referral Services Team:**

Teachers and other school professionals, as appropriate, will be in-serviced annually by the Director of Special Services or designee regarding the procedures for initiating and providing interventions in the general education program.

The parent(s) will be informed of the procedures to initiate interventions in the general education program.

The Executive Director or designee will oversee the district's implementation and effectiveness of the procedures for interventions in the general education program.

An Intervention and Referral Services Committee (I&RS) will be in place pursuant to N.J.A.C. 6A:16-8.1.

The Director of Special Services or designee will be responsible for the following:

1. The implementation and effectiveness of building level I&RS Committee;
2. Will identify the roles and responsibilities of building staff who participate in planning and providing intervention services; and
3. Review, assess and document the effectiveness of the services provided in achieving the outcome identified in the intervention plan.

The I&RS Committee shall:

1. Plan and provide appropriate intervention services;
2. Actively involve the parent(s) in the development and implementation of intervention plans;
3. Develop an action plan for an identified pupil which specifies specific tasks, resources, persons responsible, completion dates, date for review;
4. Coordinate the services of community based social and health provider agencies;
5. Process and complete the documentation forms; and
6. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

7. Ensure the type, frequency, duration, and effectiveness of the interventions are documented.

The Director of Special Services will insure that:

1. I&RS Committee receive in-service training by the Director of Special Services or designee by September 30th each school year;
2. Staff handbooks are updated by August 1st and include information regarding intervention procedures;
3. New instructional staff attend the district's orientation program commencing in the month of August which includes information on I&RS Committee;
4. School calendars are distributed in the month of September and provide information on intervention services; and
5. Parent/pupil handbooks distributed in the month of September and include information on intervention services.

**Procedure for Referral to the I&RS Team:**

1. A staff member or agency shall provide in writing a request for intervention services for pupils enrolled at TCCS, to the Director of Special Services or designee. The request shall contain the following:
  - a. Reason for request (including parental or adult pupil request);
  - b. Descriptive behavior of pupil performance; and
  - c. Indication of the prior interventions.
2. The teacher(s) complete(s) Referral Form in Realtime including a summary of the child's difficulties and attempted classroom interventions
  - a. The chair will review information to ensure the identified student is clearly defined and that all accompanying documentation forms are provided.
  - b. The chair will simultaneously assign a case manager and schedule the initial problem-solving meeting (approximately two weeks from receipt of the request) and the first follow-up meeting (approximately six-eight weeks after the initial problem-solving meeting).
3. The I&RS Chair or Case Manager will distribute the following information collection forms:
  - a. Teacher Information Collection form.
  - b. School Counselor/Social Worker Form.
  - c. School Health Form.
  - d. Student Self Assessment.
4. The I&RS Chair or Case Manager will:
  - a. At a minimum, interview the person requesting assistance, the student and where appropriate, other school staff.
  - b. The case manager should also gather prior performance data relevant to the student to further identify the student's difficulties in the general education program.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- c. Confirm with the general education teacher that they have spoken to the parent regarding concerns prior to the case manager reaching out.
  - d. Reach out to parent(s) via telephone or email and subsequently send the parent letter and questionnaire.
5. The I&RS Chair will establish the date, time and location of required staff to attend an I&RS Meeting.
6. The I&RS Chair will notify I&RS team members and other required staff of the meeting at least once a week prior to the meeting date.
  - a. The I&RS Chair determines the appropriate staff required at the I&RS meeting.
  - b. The classroom teacher informs the parent(s) of the I&RS referral (the parent/guardian does not participate in the I&RS referral meeting)
  - c. The composition of the I&RS Team will depend on the educational problem that requires additional problem solving and support.
7. The I&RS team will determine the student's eligibility for I&RS services. If a student is eligible for services the I&RS team will develop, monitor and adjust an action plan accordingly

See [TCCS Intervention and Referral Services Manual](#) for more information on the I&RS process

**C. Procedures for Referral procedures are included in professional staff handbooks and referral forms are available in the Principal's office, the Child Study Team office, and the Executive Director's Office.**

When it is determined, through an analysis of relevant documentation and data collection concerning each intervention utilized in general education that the student continues to experience educational problems, a student should be referred to the Child Study Team. The purpose of the initial referral is to determine if an evaluation is required to establish the potential need for special education programs and/or related services. The parent/guardian, teacher, administrator and/or I&RS Team may refer a student to the CST for evaluation as described below.

**Procedure for Referral to the Child Study Team (CST):**

1. A referral for possible evaluations for special education and/or related services must be made, in writing, and received by the Director of Special Services or designee. Referrals made by TCCS staff members should be completed in Real Time. Referrals made by parents/guardians or other staff should be submitted in writing (i.e. email or handwritten).
2. Upon receipt of a written referral, the Director of Special Services or designee will:
  - a. Assign a case manager to the case
  - b. Schedule an Identification Meeting within 20 calendar days of the date-stamp documented on the request for referral
  - c. Send Parental Invite to the parents documenting the time, location and participants of the meeting. With the parent invitation, the parents must also receive a copy of Parents Rights in



TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

Special Education (PRISE) and NJAC 16A: 14, the Due Process Rules.

- d. Inform all required participants who will include psychologist, Learning Disabilities Teacher Consultant (LDT-C) social worker, classroom teacher, special education teacher and speech and language specialist if the suspected disability is language related.
- e. Initiate a file to include a timeline for processing the referral including the date that initiates the twenty-day timeline for conducting the referral/identification meeting and forms used to open a case;
- f. A summary of all educationally relevant information regarding the pupil shall be collected by the relevant personnel.
  - i. I&RS documentation (including, but not limited to: teacher reports, grades and other relevant data including the intervention plan and documentation of its effectiveness shall be forwarded with the referral to the CST along with any other relevant data;

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

### III. CHILD STUDY TEAM

A Child Study Team is an interdisciplinary group of appropriately certified persons who shall:

1. Evaluate, after parental consent for referral has been received, and participate in the determination of eligibility of pupils for special education and/or related services,
2. Coordinate the development monitors and evaluates the effectiveness of the Pupil's Individual Educational Plan.
3. Insures the delivery of appropriate related services to classified students
4. Provide preventive and supportive services to general education students who are identified as struggling learners
5. Provide services to the general education staff regarding techniques, materials and programs for pupils experiencing difficulties that interfere with learning. Services include, but are not limited to, the following:
  - a. Consultation with school staff and parents; and
  - b. The design, implementation and evaluation of techniques to prevent and/or remediate educational or behavioral difficulties.
6. A Child Study Team shall consist of a school psychologist, a learning disabilities teacher-consultant and a school social worker. For pupils' ages three to five and for determination of eligibility as Communication Handicapped or Auditory Handicapped the Basic CST shall include a speech-language specialist.

#### A. Case Manager Responsibilities

1. Each case manager will assume responsibilities for each student assigned to him/her by the Director of Special Services. Responsibilities shall include, but are not limited to:
  - a. Consultation with school staff
  - b. Serve as liaison between Special Education Teacher (s) and Regular Ed Teachers when necessary
  - c. Conducting annual review meetings and development of yearly IEPs
  - d. Family contact
  - e. Coordination of triennial reevaluation meetings and testing when necessary
2. Monitor grades and behavior including disciplinary action and suspension. Develop a behavioral management plan when necessary, or refer to the school behavioral specialist if beyond a case manager's scope of practice.
  - a. The plan shall include:
    - i. Frequency of behavior
    - ii. Intensity of outburst or inappropriate behavior
    - iii. Make recommendations to eliminate or control the undesirable behavior
    - iv. Process through which the behavior will be monitored and measured

#### B. Role and Function of Individual Team Members

1. Learning Disabilities Teacher Consultant - shall be responsible for the Educational assessment and shall:
  - a. Assess academic areas and learning styles using instruments that are appropriately normed.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- b. Consult with regular and special education staff.
  - c. Participate as part of the I&RS team when asked
  - d. Review Pupil's educational history.
  - e. Analyze work samples
  - f. Observe in other than testing situations (Classroom Observations)
  - g. Write and submit appropriate reports, using departmental guidelines
  - h. Develop instructional strategies for General Education pupils
  - i. Referred to the I&RS
2. School Psychologist - shall be responsible for the psychological Assessment and shall:
- a. Conduct Assessments of a referred child in the areas of cognitive, adaptive, social and emotional status of a pupil, using instruments and techniques that are currently normed and considered appropriate by professional organizations (NASP, APA).
  - b. Observe in other than a testing situation.
  - c. Meet with the pupil's teacher and consult with school staff.
  - d. Participate as part of the I&RS team when asked
  - e. Write and submit appropriate reports, using departmental guidelines.
  - f. Develop strategies for behavioral management in the classroom for pupils referred to the I&RS team and/or consult with the behaviorist about said pupil
  - g. Provide individual and/or group counseling for classified and general education
  - h. students as required by the student's IEP
3. School Social Worker - shall be responsible for a social assessment of the pupil and his/her family and shall:
- a. Conduct observations in other than a testing situation.
  - b. Communicate with the pupil and his/her parent(s) or guardian
  - c. Consult with school staff.
  - d. Write and submit appropriate reports using departmental format.
  - e. Work with the School Psychologist and or School Guidance Counselor in providing individual and/or group counseling for classified and non- classified students as required by the student's IEP
  - f. Work with the students referred to the I&RS committee
  - g. Serve on the I&RS committee when asked
  - h. Act as a liaison with community agencies.
  - i. Assess adaptive social functioning.
  - j. Assess Social and Cultural factors.
4. Speech-Language Pathologist - shall be responsible for assessment and determination for Speech-Language related services, and determination of eligibility as Eligible Speech and Language Services only, Communication Impaired and Auditory Impaired, using appropriately normed and current instruments.

**\*Note:** Eligibility for speech-language must be determined by the speech language specialist, and

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

only by the speech-language specialist. If a CST considers that a pupil is in need of speech, the CST may request that the speech-language specialist evaluate the pupil in order to determine whether the pupil is in need of speech services.

- a. Provide Speech Therapy
- b. Participate as part of the I&RS process when appropriate
- c. Use strategies for Regular and Special Ed Teachers who have pupils in need of language remediation.
- d. Participate in Pre-School Disabled Assessment.
- e. Write and submit appropriate reports using departmental format.
- f. Maintain accurate speech IEPs
- g. Confers with parents to develop an Individual educational Program (IEP) for each student classified as ESLS provide individual and/or group therapy speech sessions according to the services set forth in the IEP
- h. Participates in the Annual Review for pupils receiving Speech Therapy.
- i. Participates in the 3-year re-evaluation for pupils receiving Speech Therapy.

5. Special/General Education Teacher

- a. Review and acknowledge the IEP of said student prior to the end of the second week of school and/or within one week of a new IEP being posted.
- b. Ensure that the student is receiving related services as written in their IEP.
- c. Check to see if the student's schedule reflects the program that is written in his/her IEP.
- d. Maintain ongoing contact with the home and other professionals.
- e. Check progress reports periodically to insure academic growth, attendance, and behavior, and provide insight in working with the student.
- f. Work with the disciplinarians and Administration when a student is exempted or has a Behavioral Management Plan in place.
- g. Make recommendations to the Case Manager PRIOR TO the IEP meeting for:
  - i. Declassification
  - ii. Reevaluation
  - iii. Change in Program
  - iv. Change in Schedule
  - v. Related Services
- h. Collects information for assessing the student's performance prior to conducting the Annual review.
- i. Write the current levels of functioning and goals and objectives prior to the Annual Review Meeting
- j. Collect data when necessary to address behavioral issues in the classroom. Provide data to

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

case manager or district behaviorist in a timely manner

**C. Initial Identification Meeting:**

The Child Study Team Case Manager will convene a referral/identification meeting within twenty calendar days (excluding school holidays, but not summer vacation) of the date recorded on the referral;

The Identification Meeting is held to determine whether an initial evaluation for special education services is required. If one is warranted, an "Initial Evaluation Plan" will be designed that will determine the nature and scope of that evaluation.

The Evaluation Plan must be designed to address the student's needs. The parent must provide written consent before any evaluation may begin. As soon as the parent provides consent for the Evaluation Plan, the student will be considered a student with a "disability" for disciplinary purposes.

Participants at the Identification Meeting must include:

- a. The Case Manager
- b. The other members of the CST including the LDT-C, psychologist, social worker and speech specialist for preschool students or any student with a suspected language disability
- c. General education ( classroom) teacher
- d. Parent
- e. Other possible participants may include:
  - i. Director of Special Services
  - ii. Principal
  - iii. Guidance Counselor
  - iv. Occupational Therapist
  - v. Physical Therapist
  - vi. Behaviorist

Process at Identification Meeting:

- f. Participants review all existing data, especially the monitored I&RS plan and any additional information provided by the parent, teacher, or principal. A medical evaluation may be one of the considered components of review.
- g. On the basis of the above review, the participants are trying to determine if all general education interventions have been attempted, whether the interventions have been effective, and that the data confirms that the student requires additional evaluations to determine eligibility for special education.
- h. Student's primary language is identified.
- i. Participants will decide which, if any evaluations need to be conducted

Initial Evaluation Plan: The purpose of the CST evaluation is to determine a student's eligibility for special education. The Initial Evaluation Plan must consist of a multi-disciplinary assessment in all areas of suspected disability. The initial evaluation plan must include, in equal parts, standardized assessment and functional assessments.

- j. The Evaluation Plan must include the following:
  - i. Evaluations by a minimum of two of the three basic CST members;
    1. Educational Evaluation by the LDT-C
    2. Psychology evaluation by the school psychologist
    3. Development family history by the school social worker

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

4. A speech evaluation, if the student is a preschooler or has a suspected language disability
  - ii. All evaluations and parent interviews must be conducted in the student's primary language. If the Child Study Team is unable to evaluate in the native language, the Director of Special Services will be contacted to obtain an agency that is able to provide the appropriate services at the cost of the district.
  - iii. The evaluations must include individually administered standardized test(s).
  - iv. The evaluations must include:
    1. Functional assessments of academic performance and where appropriate a functional behavioral assessment,
    2. An assessment of the language needs of a student with limited English proficiency,
    3. And an assessment of the student's communication needs and the need for assistive technology services when appropriate.
  - v. Each of the following components must be completed by at least one evaluator and clearly identified in that evaluator's report:
    1. A minimum of one structured observation by one evaluator in a situation other than a testing session. This observation must be conducted in a place where the pupil is experiencing difficulties. Observations should include date, time, place, student's responses and the impact of pupils on others in the setting.
    2. An interview with the parent conducted in the parent's primary language.
    3. An interview with the teacher(s).
    4. A review of the student's developmental and educational history including records and interviews.
    5. A review of the interventions documented by the classroom teacher(s).
    6. One informal measure that may include but is not limited to surveys and inventories, analysis of the student's work, trial teaching, self-reports, criterion referenced tests, curriculum based assessments and informal rating scales.
    7. Beginning at age 14, or younger if appropriate, include assessment(s) to determine post secondary outcomes.
  - vi. For students who display social and emotional problems, the functional behavioral assessment may be included in the psychological report or by a social worker or BCBA. This behavioral assessment must be based on standardized evaluation instruments and functional assessments. The behavioral assessment should be clearly identified in the psychological report. The functional assessment is required for the student who requires a Behavior Intervention Plan (BIP).
  - vii. The screening of a student by a teacher or specialist to determine appropriate strategies for curriculum implementation will not be considered to be an evaluation for eligibility for special education.
- k. A written report for each evaluation will be completed within 90 calendar days from the date the parent provided written consent for the evaluation plan. Each evaluation report must be signed and dated by the individual evaluator.
- l. The CST must consider an outside report submitted by the parents. The CST may accept or

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- reject the entire report (s) or any part of the report. Acceptance of the report must be noted in writing and must become part of the reports of the district.
- m. When the determination is made about conducting an initial evaluation, in addition to the written notice contained in the Evaluation Plan Form, the parent(s) must be notified that copies of NJAC 6A: 14, the special education rules and NJAC 16A:14, the due process rules are available on the district website. Copies of said documents should be provided if parent does not have access to the website
- n. Additional NJAC mandated evaluations to determine specific areas of disabilities are:
- i. Auditory Impaired: audiological and speech evaluations
  - ii. Autistic: a speech and language evaluation and an assessment by a physician trained in neurodevelopmental assessments (Neurologist is preferred)
  - iii. Communication Impaired: a speech and language evaluation that includes at least two standardized language tests one of which must be a comprehensive test of both receptive. and expressive language. To be eligible, the student's performance must be 1.5 standard deviations or below the 10th percentile on the two standardized tests. The speech and language specialist can be considered a CST member and a minimum of one other team member must conduct the evaluation.
  - iv. Orthopedically Impaired: a medical assessment documenting an orthopedic condition.
  - v. Other Health Impaired: a medical assessment documenting the chronic health problem and one more documented component affecting academic achievement is required.
  - vi. Preschool Child with Disability: When utilizing a standardized assessment or criterion referenced measure to determine eligibility, a developmental delay must mean a 33 percent delay in one developmental area or a 25 percent delay in two or more developmental areas (physical, cognitive, communication, social and emotional, and adaptive)
  - vii. Specific Learning Disability (SLD): evaluations must include an assessment of current academic achievement ( educational evaluation) and ability (psychological evaluation)
    1. District developed severe discrepancy criteria (2 standard deviations) must be utilized to determine eligibility.
  - viii. Visually Impaired: evaluation by a specialist qualified to determine visual disability
  - ix. Eligible for Speech and Language Services (ESLS) and speech as a related service, state mandated speech criteria must be utilized to determine eligibility.
- o. The Child Study Team (CST) must consider outside reports submitted by the parent:
- i. Each report or assessment must be reviewed and considered by the CST member or related service provider with relevant knowledge or expertise.
  - ii. A complete report or components of a report may be utilized as a required assessment, if the assessment has been conducted within one year of the evaluation and the CST determines the reports and assessment meet code requirements.
  - iii. Acceptance or rejection of part or entire report must be noted in writing.
  - iv. Acceptance of part or entire report means the report will become part of the reports of the district.
- p. The parents still provide written consent for the Evaluation Plan by signing and dating it.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

Then the student is considered to have a disability for discipline purposes only and is entitled to all rights of a special education student in this area. The Evaluation Plan Form must contain written notice to parents/guardians describing the proposed actions, consideration of other options, data used to make the decision, and access to parental rights under special education law.

- q. The case manager must provide the parent(s), at the meeting, with a copy of the signed Evaluation Plan and monitor the completion of the evaluations.
- r. During the evaluation the case manager will:
  - i. Maintain contact with all evaluators to ensure the evaluations are completed within 90 days.
  - ii. Schedule the Eligibility Meeting within 75 days from the date the parent(s) provided written consent.
  - iii. Follow through on the evaluation, classification and placement, closure of the case, or recommendations for interventions in the regular education program, as well as handling issues that may arise with the pupil/family.

**Initial Eligibility Meeting:**

An Eligibility Meeting is scheduled to determine, based on the evaluations, whether a student is eligible for special education services and if eligible determine a single classification category as defined in NJAC 6A:14. The meeting should be held between 90 calendar days from the date the parent provides written consent for the evaluation. The Evaluation Team, including the classroom teacher, a special education teacher, case manager (who can also be the district representative) and parent(s) must determine eligibility in a collaborative manner.

Prior to the Eligibility Meeting the case manager will inform all required participants at the Eligibility Meeting the CST evaluations are complete and available for their review.

District Procedures:

1. At least 15 calendar days before the 90-day time limit" the Director of Special Services or case manager will:
  - a. Schedule the Eligibility Meeting
  - b. Identify and invite all participants, including required and any additional participants
  - c. Send Request for Parental Participation in a Meeting Form to the parent inviting them to the Eligibility Meeting. The invitation will include all participants, date, time and location of the meeting
  - d. Participants at the Eligibility Meeting must include:
    - i. One CST member who completed an evaluation. This CST member may also fulfill the role of case manager and district representative.
    - ii. General education ( classroom) teacher. The student's teacher is preferred or if the student's teacher is not available, a teacher knowledgeable about the school and district's programs.
    - iii. Parent(s). If the parent(s) has/have limited English proficiency, a translator competent in the parent(s) primary language must attend to provide an accurate translation of the proceedings.
    - iv. As Special Education Teacher who is knowledgeable in the special education



TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- programs available within the district
- v. Speech Therapist if applicable
  - vi. Other (optional) Participants at the Eligibility Meeting may include:
    - 1. Director of Special Services
    - 2. Principal
    - 3. Guidance Counselor/social worker
    - 4. Occupational Therapist
    - 5. Physical Therapist
    - 6. Behaviorist
    - 7. Any appropriate individuals at the parent (s) or district's request. It is recommended that the parent (s) and/or school be advised in advance of additional participants.
- e. At the Eligibility Meeting:
- i. All participants will sign an "Attendance Form".
  - ii. The participants at the Eligibility Meeting will review three standards to determine eligibility for special education.
    - 1. Standard One: The evaluation reports document one or more of the disabilities defined in NJAC 6A:14-3.5 (C),
    - 2. Standard Two: The disability adversely affects the student's educational performance,
    - 3. Standard Three: The student is in need of special education services.
  - iii. Each CST member must document in writing whether they agree or disagree with the decision of eligibility or non-eligibility.
  - iv. If a student is not eligible, the case manager should document the findings in Real Time, have the parent sign off on the eligibility document and close the case.
  - v. Review of Standard One "Classifications" must be based on assessments conducted including assessments by the CST members and assessments by other specialists as specified below:
    - 1. Auditory Impaired means an inability to hear within normal limits due to physical impairments or dysfunction of auditory mechanisms. Audiological, speech and language evaluations are required to document hearing loss.
    - 2. Autistic means a pervasive developmental disability which significantly impacts verbal and nonverbal communications and social interaction that adversely affects a student's educational performance. A speech and language evaluation and an assessment by: physician trained in neurodevelopmental assessments (Neurologist is preferred) are required to document the developmental disability.
    - 3. Cognitively Impaired means a disability that is characterized by significantly below average general cognitive functioning existing concurrently with deficits in adaptive behavior; manifested during the developmental period that adversely affects a student's' educational performance and is characterized by one of the following:
      - a. Mild cognitive impaired means performance on an individually administered test intelligence that falls within a range of two to three deviations below the mean.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- b. Moderate cognitive impaired means performance on an individually administered test of intelligence that falls three deviations or more below the mean.
  - c. Severe cognitive impaired means a student's performance cannot in some manner express basic wants or needs.
4. Communication Impaired means a language disorder that affects a student's education; performance and is not due primarily to auditory impairment. The problem shall be demonstrated through functional assessment of language and a speech and language evaluation that includes at least two standardized language tests, one of which one must be a comprehensive test of both receptive and expressive language. To be eligible the student's performance must be below 1.5 standard deviations below or the 10 percentile on the two standardized tests. The speech and language specialist shall be considered a CST member and a minimum of one other team member must conduct an evaluation.
5. Emotionally disturbed- means a condition exhibiting one or more of the following characteristics over a long period of time that adversely affects a student's education; performance due to:
  - a. An inability to learn that cannot be explained by intellectual, sensory or health factor
  - b. An inability to build or maintain satisfactory interpersonal relationships with peers and/or teachers
  - c. Inappropriate types of behaviors or feelings under normal circumstances
  - d. A general pervasive mood of unhappiness or depression
  - e. A tendency to develop physical symptoms or fears associated with personal or school problems
6. Multiply disabled (MD) means the presence of two or more disabling conditions, the combination of which causes such severe educational needs that they cannot be accommodated in a program designed solely to address one of the impairments
7. Deaf/blindness means concomitant hearing and visual impairments, the combination, which causes such severe educational problems that they cannot be accommodated in special education program solely for students with blindness or students with deafness
8. Orthopedically impaired means a disability characterized with severe orthopedic impairments that adversely affect a student's educational performance. A medical assessment documenting orthopedic condition is required.
9. Other Health Impaired means a disability characterized by chronic or acute health problems that adversely affects a student's educational performance. A medical assessment is required that documents the health problems.
10. Preschool Child with a Disability - a child between the ages of three and five experience developmental delays as measured when utilizing a standardized assessment criterion-referenced measure to determine eligibility. A

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

developmental delay must mean a 33% delay in one developmental area or a 25% delay in two or more developmental areas.

11. Specific Learning Disability (SLD) means a disorder in one or more of the basic psychological process(es) that involve( s) an understanding or using spoken or written language.
  - a. A specific learning disability can be determined when a severe discrepancy is found between the student's current academic achievement and intellectual ability in one or more of the following areas:
    - i. Basic reading skills
    - ii. Reading comprehension
    - iii. Oral expression
    - iv. Listening comprehension
    - v. Mathematical calculations
    - vi. Mathematical problem solving
    - vii. Written expression
    - viii. Reading fluency
  - b. To be eligible for the classification of specific learning disabilities a statistical difference of 1.5 must be documented on individual evaluations that include an assessment of current academic achievement ( educational) and ability (psychological).
12. Traumatic brain injury means an acquired injury to the brain. No medical evaluation is required to document traumatic injury but best practice would require it.
13. Visually Impaired means an impairment in vision that, even with correction, adverse) affects a student's educational performance. Specialists qualified to determine visual disability must document educational needs.
- vi. Determination of eligibility for speech language services:
  1. Eligibility for speech language services means a speech and/or language disorder as follows:
  2. A speech disorder in articulation, phonology, fluency, voice or any combination unrelated to dialect, cultural differences or the influence of a foreign language, which adversely affects a student's educational performance; and/or
  3. A language disorder which meets the criteria of NJAC 6A: 14-3 .5( c )4 and the student requires speech-language services only.
  4. If the student meets all three of the above standards the student will be eligible for special education services and an Eligibility Form will be completed.
  5. The case manager must provide the parent(s) with a copy of the Eligibility Statement and the
  6. Parent Notice of Eligibility Statement. The Eligibility Statement should be provided by the case manager in the parent's primary language.
- vii. Parent(s) has/have the right to wait 15 calendar days before they provide written consent for the determination of Eligibility for Special Education Services.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

1. The parent(s) have the right to waive the 15 calendar days before they provide written consent for the determination of Eligibility for Special Education Services and sign the Eligibility Form at the Eligibility Meeting.
  2. Without written consent for the initial evaluation NO Special Education Services will be implemented.
  3. Case manager should monitor 15 calendar days and if the parent does not provide written consent, parents should be informed that the case will be closed without written consent. If written consent is still not provided, case manager will notify Director of Special Services and either close the case or pursue due process
  4. Once the parent signs the Eligibility Form (written consent) the parent has the right to wait 15 calendar days before they provide written consent for participating in an IEP meeting. The case manager should ask the parent to waive their rights to wait for 15 days before the IEP meeting and provide written consent to transition into an IEP meeting at the end of the Eligibility Meeting.
- viii. Independent Evaluations
1. A parent may request in writing an "Independent Evaluation" if they disagree with any assessment conducted as part of the initial evaluation or a reevaluation provided by the district in an area not assessed as part of an initial evaluation or reevaluation. The case manager must immediately send the parent's written request for an independent evaluation to the Director of Special Education.
  2. The child study team (initial evaluation) or the IEP team (re-evaluation) must consider the parent request and determine within ten days of receipt of the written request whether or not to support the parental request for an independent evaluation. If the CST/IEP team supports the parental request for an independent evaluation, the case manager will notify the parent.
  3. The district must complete the new (independent) evaluation within 45 days of the date of the parental request.
  4. For any independent evaluation, the school district must (with advance notice) permit the evaluator to observe the student in the classroom or other educational setting.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**IV. INDIVIDUAL EDUCATION PLANS (IEPS)**

When the parent has provided written consent for Eligibility For Special Education, the case manager may develop a draft IEP. The draft IEP is based on the standardized and functional evaluations that will create the present levels of the educational and functional performance section of the IEP. The "IEP Team" develops the actual IEP. Goals and objectives will be selected for all areas of need identified in the Present Levels of Academic Achievement and Functional Performance (PLAAFP). The implementation of the goals and objectives in the Least Restrictive Environment (LRE) will determine the required special education program and/or services. The initial IEP must be implemented 90 calendar days from the date the parent provided signed consent for evaluation.

**Implementation Guidelines**

1. A meeting to develop the IEP must be held within 30 calendar days of a determination that a student is eligible for special education and related services or eligible for speech and language services.
2. Every student's IEP must be accessible to every general education teacher, special education teacher, related service provider and other service provider responsible for the implementation of the IEP.
3. The district must inform every teacher and/or provider of his or her responsibilities related to implementing the student's IEP and the specific accommodations, modifications and supports to be provided for the student in accordance with the IEP.
4. Using the Real Time program, the district must document that the teacher(s) and service provider(s) have been informed of their specific responsibilities related to implementing the student's IEP.
5. The IEP must be implemented immediately and within 90 calendar days from the date of the parent consent to evaluate.
6. IEP Development:
  - a. The case manager is responsible for:
    - i. Reviewing with every classroom teacher the IEP and providing the classroom teacher with the appropriate section (s) of the IEP that will be essential for instruction of the student. If possible this review of the IEP should take place before the IEP is implemented.
    - ii. Related Services guidelines:
      1. All services must be documented as an area of need in the Present Levels of Academic and Functional Performance
      2. Are specified in the student's IEP, including but not limited to. counseling, occupational therapy, physical therapy, school nurse services, recreation, social work services, medical services, transportation and speech and language services must be provided for a student to benefit from the educational program
      3. All related services must have starting and ending date, frequency and duration
      4. Related services must be provided by appropriately certified and/or licensed professionals
      5. Must include a statement, as appropriate, of any integrated therapy services to be provided that address the student's individual needs in an educational setting
    - iii. Present Levels of the Academic and Functional Levels of Performance guidelines

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

must include:

1. Parents' concerns and a description of the student's strengths, interests and preferences
  2. How the identified disability affects the student's involvement and progress in the general education curriculum
  3. Considerations of need in the following areas: technical consultation, behavior, language communication, auditory, assistive technology devices and services, and vision
  4. Communication/Language Needs. Document consideration of whether the student requires Assistive Technology devices and services
  5. Behavior interfering with learning. If the area of behavior is identified as a weakness, a Behavior Intervention Plan (BIP) must be included in the IEP
  6. Any consideration of a visual impairment and need for Braille.
  7. Transition Needs must be related to statement made in later Transition Plan and Transition Service section of the IEP
  8. All evaluation results and their impact on learning
- iv. Goals and Objectives guidelines:
1. All areas of need identified in the Present Levels of Academic Achievement and functional performance require measurable educational goals and objectives
  2. Measurable annual goals must be related to the Common Core State Standards (CCSS) through general education unless otherwise required according to the student's educational needs
  3. Must include measurable academic and functional goals and objectives
- v. Program guidelines:
1. All educational goals and objectives must be implemented by special education providers in the Least Restrictive Environment (LRE)
  2. Special education programs and service must document starting and ending date, frequency and duration
- vi. Academic Accommodations guidelines:
1. Must be identified for participation in general education and special education.
  2. Must match area of need
  3. Must match accommodation to subject area
  4. Accommodation should be limited to most important two to three accommodations per subject area
- vii. Supplemental Aides and Services
1. Must be identified for participation in general education, special education teachers in general education and in special education
  2. Must match accommodation to subject area
  3. Accommodation must match area of need
- viii. Support for School Personnel
1. Must identify the roles of the case manager, all special education providers including the teachers and related service personnel and when appropriate the role of the school administrators

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- 2. Must identify the system of communication between home and school
- ix. Progress Reporting
  - 1. Must state how the parent(s) will be regularly informed of their student's progress toward annual goals
  - 2. The parent(s) of a student with a disability must be informed of the progress of their child as often as non-disabled parents are informed through the school report card system.
  - 3. Progress reports to parents should be provided in their primary language.
  - 4. If a non-disabled student receives a report card four times per year, a special education student in the same grade must have IEP progress monitored four times per year and a report card four times per year
  - 5. The specific method and schedule must be documented (the term "as needed" cannot be utilized)
- x. Special Education Determinations
  - 1. Must include the length of the school day and justification if the student will not participate the same amount of time as a non-disabled student
  - 2. Must include a statement that specifies the date for beginning and ending of services, the frequency and duration and location of those services or modifications
  - 3. Must include a statement of a student's transition from elementary program to secondary program that must be determined by factors including number of years in school; social, academic and vocational development; and chronological age.
- xi. Extended School Year (ESY)
  - 1. ESY is an IEP team decision.
  - 2. ESY is appropriate if the student's severe disability would create significant regression and the length of recoupment would interfere with progress for the next IEP. The ESY Program may address specific areas of regression concern. In April or May of the school year, the case manager must review all IEPs for consideration of an Extended School Year (ESY). If ESY is determined necessary and it has not previously been documented and IEP amendment will be completed
- xii. Participation in District and State Assessment
  - 1. Must include a statement of any individual modification in the administration of statewide or district-wide assessments of student achievement needed for the student to participate in state or district assessments
  - 2. All testing accommodations must be documented as an area of need in the Present Levels of Academic and Functional Performance
  - 3. All special education students if exposed to the Core Content Curriculum are expected to participate in state and district-wide testing
  - 4. All exceptions must have an alternate proficiency
- xiii. Graduation Requirements
  - 1. A student's IEP must include a statement of the state and district requirements that the student will be expected to meet
  - 2. The statement must be reviewed annually

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

3. If the student is exempted from meeting any of the graduation requirements the IEP must document the alternate proficiencies the student is expected to meet
  4. The IEP must state all graduation requirements
  5. The IEP must document if the student is NOT exempt from the requirement
  6. If a requirement is exempted or modified a rationale must be identified based on the student's educational needs
  7. If a requirement is exempted or modified, rationale must be identified based on the student's educational needs; a description of an alternate proficiency for each exemption or modification must be documented to allow the student to qualify for a state endorsed diploma.
- xiv. Specialized Transportation Services
1. Specialized transportation will be explored at the IEP meeting based on the needs of the student.
  2. If specialized transportation services are required CST will document it in the IEP, complete a transportation form and submit it to the Director of Special Services for authorization who will then submit it to the transportation coordinator
  3. Specialized transportation services must include the name of the Bus Company, the home address and pick-up or drop-off times.
  4. Transportation coordinator will inform CST members and parents/guardians of pickup and drop off times
- xv. Rationale for Removing from General Education
1. Must include an explanation of the extent, if any, to which the student will not participate with nondisabled students in general education
  2. Must include participation with non-disabled students in extracurricular and nonacademic activities
- xvi. Modifications in Extracurricular and Nonacademic Activities
1. For students in an out-of-district program, the IEP must identify how the student will participate with non-disabled peers in extracurricular and nonacademic activities.
  2. Modifications must match accommodation to subject area
  3. Modifications for students must be identified for teachers in general education and special education, and for student participation in general education and special education
  4. Accommodations and Modifications must match area of need
- xvii. Behavior Intervention Plan (BIP) guidelines
1. Must be included for students who have been identified by the IEP team as having the potential of demonstrating behavior that would interfere with learning
  2. Must be developed using behaviors that are measurable and observable
  3. Must be reviewed with each significant behavior problem to determine if the BIP is appropriate to the needs of the student
  4. May be developed by the CST or the district Behaviorist



TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

5. Teachers will be responsible for data collection for said behavior plans
- xviii. Transition from elementary to high school: A statement of transition from elementary to high school determined by factors including number of years in school, social, academic and vocational development; and chronological age.
  1. Transition at age 14: A statement of transition services must be included in the IEP that is in place when the student turns 14 or younger (if determined appropriate by the IEP team) and updated annually. The e IEP must include:
    - a. A statement of the student's strengths, interests and preferences
    - b. Identification of a course of study that matches the student's need and assists the student in developing or attaining postsecondary goals
    - c. A description of the need for consultation from other agencies' interagency linkages
- xix. At the end of the IEP Meeting, the parent is provided with a copy of the IEP or written notes of the meeting and if requested, after receiving a copy at a previous meeting, the Parental Rights in Special Education (PRISE) handbook
- xx. The initial IEP cannot be implemented until written parental consent is obtained.
- b. When the parent declines participation in an IEP meeting, or is in disagreement with the recommendations:
  - i. The remaining participants must complete the process and develop a written IEP to be reviewed by the parent at a later date.
  - ii. The initial IEP cannot be implemented until written parental consent is obtained therefore no special education services can be provided.
  - iii. For other than the initial IEP, written consent is not required.
  - iv. The case manager must review with the parent/guardian their rights included in written notice that is embedded in the IEP.
  - v. The case manager must inform the Director of Special Education of the parental issue.
  - vi. If there is no resolution of the IEP at the meeting, then the parties may proceed with due process mediation if warranted The decision to move forward with due process will be made by the Director of Special Services
  - vii. The initial IEP cannot be implemented until written parental consent is obtained.
- c. Amended IEP Procedures
  - i. The IEP may be amended without a meeting of the IEP team as follows:
    1. If the Parent(s) make(s) a written request to the district for a specific amendment to a provision or provisions of the IEP and the district agrees.
    2. The district provides the parent(s) with a written proposal to amend a provision or provisions of the IEP and the parent(s) consent(s) in writing to the proposed amendment within 15 days from the date of receiving the written proposal.
    3. All amendments pursuant to # 1 and #2 above must be incorporated in an amended IEP or an addendum to the IEP, and a copy of the amended IEP or addendum must be provided to the parent(s) within 15 days of receipt of parental consent by the district. The forms to amend an IEP without a meeting can be found on Real Time
    4. If an IEP is amended, such amendments must not affect the requirement

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- that the IEP team review the IEP at a meeting annually, or more often if necessary.
5. If further discussion is required to amend an IEP a meeting can be held with the interested parties. All participants of the meeting should sign an attendance sheet. Once an agreement has made, parents shall sign off on the amended IEP
- ii. Program Placement
    1. Within 90 days of the initial referral, and as soon as possible after the eligibility meeting, an eligible student must be placed in an appropriate program.
    2. If a student with disabilities transfers into the district with an IEP, that student must be placed in a program as similar as possible to that of the sending district. The IEP team must review the IEP within 30 days and develop a new IEP or accept the existing IEP as written. If IEP documentation cannot be obtained from the sending district, an evaluation must be completed within 60 days.
7. Annual Reviews: no less than one calendar year from the previous date of the IBP's implementation, the IBP team must meet to review and revise it at an Annual Review Meeting and if necessary, make appropriate changes in the IEP.
    - a. The case manager is responsible for the IEP's Annual Review. He or she will schedule the annual review meeting with the IEP Team, 30 days prior to the 12-month anniversary date of the IBP. The Case Manager will notify all attendees in writing.
    - b. At the Annual Review Meeting, all participants are expected to sign an Attendance Form to document participation at the Annual Review Meeting.
    - c. The case manager must inform the Director of Special Services before the meeting regarding any changes to an IEP that may result in a new out-of-district placement
    - d. At the conclusion of the meeting the case manager will provide the parent(s) with a draft copy
    - e. Have the revised IEP or documentation of the proposed changes.
    - f. b. When the parent declines participation in an IEP meeting or is in disagreement with the recommendations, the remaining participants must complete the annual review process and develop a written IEP.
    - g. The case manager should review with the parents and/or guardian(s) their rights included in the written notice embedded in the IEP form.
    - h. The parent may agree to and sign off on the IEP at the meeting in which case the new IEP will be implemented immediately. Or, the parent may choose to wait up to 15 days to review the IEP and sign off on it. Once the parent has agreed to the new IEP, the case manager will provide all relevant staff with the new IEP.
    - i. If the parent does not agree to the proposed IEP, the Director of Special Services shall be notified and make a determination if due process should be pursued.
  8. Reevaluation: to determine the effectiveness of the IEP, within three years of the previous classification, the case manager must schedule a meeting with the IEP team to determine the need for continued special education services. The IEP team (parent, case manager, special education teacher and general education teacher) must develop the reevaluation plan and eligibility collaboratively.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- a. Case Manager will make the final decision as to whether or not updated testing is required or not
- b. By June 30th, all Pre-K with disabilities must be reevaluated to continue eligibility in grade K.
- c. The case manager will:
  - i. Contact the IEP team (including the parent) 120 days prior to the triennial anniversary date to schedule the Re-evaluation Planning Meeting
  - ii. Ensure all participants sign an attendance form to document participation at the re-evaluation Meeting
  - iii. At the Re-evaluation Planning Meeting secure written consent from the parent if testing is to be done
  - iv. If additional evaluations are required, all evaluations must be completed within 40 days have written parental consent (if no evaluations are required, IEP team moves to eligibility)
  - v. Schedules the eligibility meeting within 60 calendar days of receipt of written parental consent and notify the team members in writing or by realtime of the meeting time and date
  - vi. Sends all evaluations to the parent(s) 10 days before the scheduled eligibility meeting
  - vii. To determine continuation of eligibility. The IEP team must review all data, including the IEP to determine the nature and scope of the re-evaluation plan including:
    1. Evaluations and information provided by the parent
    2. Current classroom based assessments and observations
    3. Observations by teachers and related service providers
  - viii. On the basis of that review, the IEP team must identify what additional data, if any, it needs to determine:
    1. Does the student continue to demonstrate an educational disability?
    2. What are the student's present levels of educational performance?
    3. Does the student need special education and related services?
    4. Does the student need any additional modifications to the IEP to meet the annual goals?
  - ix. If the IEP team determines that NO additional evaluations are required, the IEP team must:
    1. Move to a reevaluation Eligibility Meeting and provide the parent with written notice of "Reevaluation: No Assessment Required"
    2. Inform the parent (s) they have the right to request any additional assessments. This request will then be reviewed by the IEP team
  - x. If the IEP team determines additional evaluations are required, an evaluation plan will be developed and the parent provides written consent before the evaluations are initiated.
  - xi. If the student continues to be eligible for special education an eligibility document will be generated and signed by the parents. The IEP may be amended at this time or, if no changes are deemed necessary to the IEP then discussion can be postponed until the next scheduled annual review.
  - xii. The reevaluation meeting can be waived if the parent and team agree that eligibility is not in question and there is no information needed for placement at the time. If all

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

parties agree, parent(s) must sign consent to waive reevaluation meeting which can be found on Real Time. Form can then be placed in the student file and the re-evaluation dates will be updated.

### **Mainstreaming**

Mainstreaming is a purposeful effort to maintain or return the pupil to the least restrictive environment that is appropriate. A mainstreaming procedure is developed in order to best meet the educational needs of the student in the environment where (s)he is able to interact with other pupils with either a modified program or with the curriculum, scope and sequence of the regular education classroom.

### **Transfer Students**

Transfer Students: the following procedures should be followed when a student with a disability transfers to our district from within the state or out of state.

1. The CST must conduct an immediate review of the evaluation information and the IEP and without delay, in consultation with student's parent(s), provide a program comparable to the student's previous program until a new IEP is implemented
2. Program Placements: In all situations, a student must be provided with a program comparable to their existing IEP within 30 days of the student's enrollment in the district. The CST has 30 days to review and accept or conduct new evaluations without delay. The CST, in consultation with parents, will provide a program comparable to the student's existing IEP until a new IEP can be implemented.
3. Transfer within NJ: If the parents and district agree, the IEP may be implemented as written. If there is a disagreement with the current IEP, the district must conduct all necessary assessments and develop and implement a new IEP within 30 days.
4. Transfer from Out of State: The district must conduct any necessary assessments and develop and implement a new IEP for the student within 30 days.
5. If the assessments are complete and fulfill the requirements of New Jersey's eligibility criteria, the case manager should complete the district's Statement of Eligibility. The CST should note their acceptance in writing.
6. If the evaluations appear to be inaccurate, incomplete or not available, the CST should develop an evaluation plan with the parent(s) and conduct the necessary evaluations as soon as possible. A Written Notice form should be completed that explains this action.

### **Home Instruction**

As a result of an annual review or a required change in the student's IEP home instruction may be considered as a temporary educational placement. A student classified a disabled may have his or her IEP implemented through one- on -one instruction at home or in another appropriate setting when it can be documented that all other less restrictive options have been considered and have been deemed inappropriate.

1. If Home Instruction will last more than two weeks, Prior to the home instruction program's implementation, the CST must notify the Director of Special Services who then must provide written notification to the Department of Education through the school's county office.
2. The Department of Education's approval for home instruction is effective for a maximum of 60 calendar days.
3. The teacher will maintain a written record of the student's home instruction, including dates and

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

time during which home instruction is provided.

4. The home instructor will keep personal timesheets, which the parent/ guardian will sign after every session to verify the instructional time. Those time sheets will then be sent to the Director of Special Services on a bi weekly basis who will sign off on them and submit them to payroll.
5. The Director of Special Service or designee will ensure that the home instructor is appropriately certified as a teacher of students with disabilities or for the subject or level in which instruction is given. The classroom teacher is responsible for providing the curriculum goals and objectives to be taught and required assignments to the home instructor. As the work is completed it is sent to the classroom teacher for grading.
6. Home instruction must take place at a location conducive to providing educational services, an adult must be present during the entire home instruction time.
7. The parent(s) must be consulted in determining the appropriate location, the home instruction schedule and adult monitor for the provision of home instruction.
8. If the parent t (s) repeatedly fails to make the student for the scheduled home instruction, the district must consider whether the student is truant. If the parents do not have the student available for home instruction, the district is NOT responsible for the missed time.
9. If the district is responsible for not providing the student's home instruction, the district is responsible for the missed time and must provide compensatory time.

District Procedures for Classified Students:

A classified student must have at least 10 hours of home instruction and no fewer than three sessions per week. It is understood that home instruction cannot always include every course option available to the student in a school setting, i.e. gym, art, related services. Arrangements are made to complete as many courses as possible.

1. The hours are selected by determining how many hours per week are required to achieve the goals and objectives in the revised IEP.
2. When the student has received clearance by the IEP team to return to school, complete the Termination of Home Instruction Form and send it to all required teachers.
3. If the home instruction is due to suspension related to disciplinary behavior, the student is eligible for 10 hours of home instruction.
4. Classified Student Home Instruction Due to a Temporary Illness or Injury
  - a. The parent(s) must Student a written determination from a physician documenting the need for confinement at the student's residence for at least a two-week period of time. The physician must provide a date the student is medically cleared for instruction.
  - b. The responsibilities of the case manager:
    - i. Complete a notice of an IEP amendment form, have the parent sign off and distribute the amended IEP to the parent and all relevant staff
    - ii. Notify the Supervisor of Special Services who will notify the County office
    - iii. Reach out to qualified teachers and set up who will be providing the instruction. Classified students who receive Home Instruction due to a temporary illness or injury must be provided no fewer than 10 hours per week of instruction, in no fewer than three sessions. The teacher should reach out to the parent directly to set up the time and place the instruction will be provided
    - iv. Notify the Director of Special Services and school principal as to who is providing the home instruction and the dates the home instruction will be provided.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**V. FREE AND APPROPRIATE PUBLIC EDUCATION**

A free and appropriate public education is available to all pupils with disabilities between the ages of three and twenty-one including pupils with disabilities who have been suspended or expelled from school.

**A. Procedures regarding the provision of a free and appropriate public education to pupils with disabilities who are suspended or expelled are as follows:**

- a. School officials responsible for implementing suspensions/expulsions in the district are the following:
  - a. Executive Director
  - b. Principal
  - c. Director of Special Services
- b. Each time a pupil with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager by the Principal or designee. (Notification must be in written format for documentation.)
- c. A disciplinary action is defined as the removal (suspension) of a student resulting in a "significant change of placement".
- d. A significant change of placement occurs if:
  - a. The removal is for more than 10 consecutive school days
  - b. The removal exceeds 10 cumulative school days in a year
  - c. A pattern of behavior exists that results in suspension
- e. A "Manifestation Determination" Meeting must be -scheduled to determine if a student's behavior problem was or was not a manifestation of the student's disability. A Manifestation Determination is completed as part of the IEP team (including parent) meeting. The IEP team must convene no later than 10 school days after:
  - a. A parent requests such a meeting following a disciplinary incident.
  - b. A student is suspended for 5 or more consecutive days.
  - c. A student is suspended for more than 10 cumulative days in a school year.
  - d. Exclusion or expulsion is being considered.
  - e. It is strongly suggested before a student reaches 10 cumulative days suspended a Manifestation Determination meeting is scheduled.
- f. Procedures have been designed to ensure that students with disabilities are not deprived of their right to a free and appropriate public education in the LRE due to a disciplinary action.
  - a. A student whose behavior is a manifestation of the disability may be disciplined, but specific procedures and limitations must be observed to protect the student's right to education.
  - b. Consequences for problem behavior should not discriminate against a student based on his disability.
  - c. Students who are not yet determined as eligible for special education, but have been identified to the school as potentially disabled or demonstrate the need for special education services, must be afforded the same protections as students with disabilities.
- g. These steps should be followed while implementing disciplinary actions:
  - a. For Disciplinary Actions Accumulating in less than 10 days:
    - i. School authorities may suspend a student with disabilities from his or her current placement for up to 10 school days at a time for any violation of school rules, if nondisabled students would be subjected to removal for the same offense.
    - ii. At the time of removal, the principal must forward written notification and a

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- description of the reasons for removal to the case manager.
- iii. The case manager should review the circumstances that led to the disciplinary action.
  - iv. The parent of the student should be notified immediately of the disciplinary action consistent with school policies. With this notice, parents should be provided with the PRISE booklet and procedural safeguards if they have not already received it within the school year.
  - v. The school must provide academic instruction within 5 days of the removal.
  - vi. Consideration should be made whether the student was being provided services in accordance with the IEP, whether his or her behavior constitutes a pattern or could be addressed through minor classroom or program adjustments, or if an IEP team meeting should be convened to address possible changes to the IEP.
  - vii. If the IEP team convenes, the IEP team may choose to review the student's BIP, or if none exists, the IEP team may choose to conduct a functional behavioral assessment.
  - viii. If the IEP team contemplates or receives information that disciplinary actions may exceed 10 consecutive days, a functional behavioral assessment to develop a BIP and a manifestation determination should be conducted.
  - ix. All documentation should be completed on Real Time
- b. For Repeated Disciplinary Actions, accumulating to 10 days:
- i. Disciplinary suspensions that accumulate to 10 school days or more may be considered a "change in placement"
  - ii. The initial procedures should be followed for disciplinary actions up to 10 days. (Steps 1-4).
  - iii. School officials, in consultation with the case manager, must determine whether the series of short term removals is a change of placement. A change of placement is the removal for more than 10 consecutive school days or;
  - iv. The short-term removals constitute a pattern because they accumulate to more than 10 school days in a school year and because of factors such as the length of removal, the total amount of time the student is removed and the proximity of the removals to one another.
  - v. If the removals are not considered a change in placement. the student may be removed from his or her current placement. The case manager and the special education teacher must determine the extent to which services are necessary to enable the student to progress in the general education curriculum and to advance towards achieving the IEP goals. If the school did not conduct a functional behavioral assessment and implement a BIP, the IEP team must meet to develop an assessment plan and then develop an appropriate BIP. If a plan has already been developed, the IEP team must meet to review it and its implementation.
  - vi. If the removals are considered a change of placement. The IEP team must meet to determine whether the misconduct is a manifestation of the student's disability. A behavioral assessment and a BIP must be developed. If a plan already exists, the IEP team must review it and its implementation.
  - vii. If the determination is made that the behavior is related to the student's disability, the student may not be removed from the current educational placement until the IEP team develops a new IEP and decides upon a new placement.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- viii. If the determination is made that the behavior is not related to the student's disability, the student may be disciplined as any other student except that the school must provide services to the student within 5 days of the suspension.
- ix. Copies of all documentation and reports should be forwarded to the district Department of Special Education Services.
- c. For Disciplinary Actions of More Than 10 Consecutive Days:
  - i. Removal from the educational placement for more than 10 consecutive school days is a change of placement.
  - ii. If the school is suspending a student for more than 10 consecutive school days, the IEP team must convene to review the BIP ( or conduct a behavioral assessment and develop a behavioral intervention plan), and it must determine whether the behavior is a manifestation of the student's disability.
  - iii. If the behavior is a manifestation of the student's disability, the student may not be removed from the current educational placement until the IEP team develops a new IEP and decides upon a new placement.
  - iv. If the behavior is not a manifestation of the student's disability, the student may be disciplined as any other student except that the school must provide services to the student within 5 days of the suspension.
  - v. Copies of all documentation and reports should be forwarded to the Department of Special Education.
- d. For Disciplinary Actions Involving Weapons or Drugs:
  - i. The school may place a student in an interim alternative educational setting for 45 days if the student:
    - 1. possesses a weapon or carries a weapon in school, at school functions, or
    - 2. possesses or uses illegal drugs, or sells or solicits the sale of controlled substances at school or at a school function.
    - 3. causes serious bodily injury to another
  - ii. The IEP team must decide the interim alternative educational setting, conduct a manifestation determination, and plan the steps to be taken at the end of the 45-day placement.
  - iii. Copies of all documentation and reports should be forwarded to the Director of Special Services.
- e. For Disciplinary Actions Involving Danger to the Student or Others:
  - i. The school may get an order from an Administrative Law Judge (ALJ) to change a student's placement to an interim alternative educational setting for up to 45 days if there is danger that the student or others are likely to be injured if he or she stays in the current placement. The ALJ decides the interim alternative educational setting.
- f. Definitions of District Actions:
  - i. BIP (Behavioral Intervention Plan): A plan designed to teach the student a more acceptable behavior in place of the inappropriate or problem behavior. The plan will include positive behavioral interventions, strategies, and supports.
  - ii. FBA (Functional Behavioral Assessment): A problem solving process that relies on a variety of techniques and strategies to identify the purposes of specific problem behaviors and helps the IEP Team to select interventions to address problems.
  - iii. MD (Manifestation Determination): Within 10 days of any decision to change the



TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

placement of a student with a disability because of o student conduct code violation, the IEP Team members (including the parent) and any other district personnel shall review all the relevant information in the student's tell, any teacher observations and any relevant information provided by the parents to determine if the student's conduct was

1. caused by or in direct and substantial relationship to the student's disability  
or-
  2. a direct result of the district's failure to implement the' student's IEP.
- h. When a pupil is suspended from transportation
- a. Suspension from transportation is not counted as a day of removal if the pupil attended school.
  - b. Suspension from transportation is counted as a day of removal if the pupil does not attend school.
  - c. If transportation is included in the pupil's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
  - d. 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 pupil does not attend school
- i. When a pupil with a disability participates in an in-school suspension program, the Principal or designee shall ensure that participation in the program is not considered removal when determining whether a manifestation determination must be conducted if the program provides the following:
- a. Opportunity for the pupil to participate and progress in the general curriculum,
  - b. Services and modifications specified in the pupil's,
  - c. Interaction with non-disabled peers to the extent they would have in the current placement, and
  - d. The pupil is counted as present for the time spent in the in-school suspension program.

**B. Procedures Regarding the Provision of a Free, Appropriate Public Education to Pupils with Disabilities Who Are Advancing From Grade to Grade**

The Social Worker or designee through in-service training shall ensure pupils with disabilities who are advancing from grade to grade with the support of specially designed services, continue to be eligible when as part of a reevaluation, the IEP Team determines the pupil continues to require specially designed services to progress in the general education curriculum; and the use of functional assessment information supports the IEP Team's determination.

**C. Procedures Involving Procedural Safeguards to Pupils Not Yet Eligible For Special Education**

1. Disciplinary procedural safeguards will apply to pupils not yet eligible for special education. The parent(s) and/or adult pupils may assert any of the protections of the law if the district had knowledge the pupil was a pupil with a disability before the behavior that precipitated the disciplinary action occurred.
2. Children with disabilities participating in early intervention programs (EIP) assisted under IDEA

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

Part C who will participate in preschool programs under N.J.A.C. 6A:14-1.1 et seq. will experience a smooth transition and will have an Individualized Education Program (IEP) developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

3. For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent to apply for such services.

**D. Procedure for Child Study Team (CST) Member Attendance at the Transition Planning Conference**

1. The district will make available a CST member to participate in the preschool transition planning conference arranged by the designated service coordinator from the early intervention system and will:
  - a. Review the Part C Individualized Family Service Plan for the child;
  - b. Provide the parent(s) written registration requirements;
  - c. Provide the parent(s) written information with respect to available district programs for preschool pupils, including general education placement options; and
  - d. Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's IEP meeting.
2. The district will work collaboratively with the EIP designated service coordinator or early intervention system to eliminate barriers regarding meeting times and locations.
3. School district officials shall adhere to all procedures contained in N.J.A.C. 6A:14-1.1 et seq. for transitioning children with disabilities from EIP to preschool programs.
4. The Part C service coordinator shall be invited to the initial IEP meeting for a pupil transitioning from Part C to Part B.

**E. Procedure for Providing blind or print-disabled with proper instructional materials**

All pupils that are blind or print-disabled will be provided instructional materials in a timely manner in accordance with a plan developed by the district.

The plan to provide the instructional material to blind or print-disabled pupils in a timely manner will:

1. Be included in the Individualized Education Program of each pupil with a disability;
2. Set forth the instructional materials needed by the pupil;
3. Indicate how the instructional material will be provided to the blind or print-disabled pupil; and
4. Address any assistive technology needed to permit the pupil to utilize the instructional material to be provided

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**VI. DISPUTE RESOLUTIONS**

Many, if not most, disagreements between parents and the district can be resolved by further communication. CST members are encouraged to exhaust all efforts in hopes of resolving any disagreements. Case managers are encouraged to maintain communications with the principal and contact the district Special Education Office for support in controversial or challenging situations.

Parents are welcome to bring other family members or friends for their own personal support. However, if a parent brings an advocate to an IEP Team meeting, the case manager should notify the Director of Special Services. Additionally, if a parent brings representation to an IEP Team meeting, the district's counsel must also be present. If either of these situations occurs without advance warning, the case manager should immediately contact the Director of Special Services for advice on how to proceed.

Unfortunately, there are times when the parent or district cannot resolve their disagreement. In this case, four options are offered by the New Jersey Department of Education:

1. **Mediation:** A way to discuss and resolve disagreements between the parent and the district with the help of a trained, impartial third person (mediator). A mediation meeting is scheduled within 15 days of its request.
2. **Due Process Hearings:** A legal process in which the resolution of a disagreement is decided by an ALJ from the Office of Administrative Law (OAL). Either the school or parent may file for an impartial due process hearing. Within 10 days of the request, the district must file a response, and within 15 days, must offer a resolution meeting. The resolution-meeting period may last up to 30 days. If the disagreement is not resolved, the due process hearing request will be transmitted to the courts.
3. **Expedited Due Process Hearings:** A hearing before an ALJ on disciplinary matters and must be held within 20 days of the request. **Emergent Relief:** An immediate decision on an issue that is related to a due process hearing, often in situations where there appears to be irreparable harm if the requested relief is not granted. **A two-year statute of limitations exists regarding any request for due process.** In any situation where a parent or district initiates any legal proceedings, the district personnel must consult with the Special Services Office prior to any further communication with the parent. Through the Special Services Office, the district's legal counsel will advise district personnel on all actions leading to the dispute's resolution.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**VII. STAFF DEVELOPMENT**

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 extent possible with other professional development activities; and
5. Provide for joint training activities of parents and special education, related services and general education personnel.
6. The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**VIII. SURROGATE PARENTS AND FOSTER PARENTS**

**A. Definitions**

Federal and State laws require the Board to ensure the rights of a pupil are protected through the provision of an individual to act as surrogate for the parent(s) and assume all parental rights under N.J.A.C. 6A:14-2.2 when:

1. The parent (as defined according to N.J.A.C. 6A:14-1.3) cannot be identified or located after reasonable efforts;
2. An agency of the State of New Jersey has guardianship of the pupil and that agency has not taken steps to appoint a surrogate parent for the pupil;
3. The pupil is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the pupil;
4. No parent can be identified for the pupil in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the pupil's parent, and no State agency has taken steps to appoint a surrogate parent for the pupil; and
5. The pupil is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the pupil.

**B. Qualifications and Selection**

The district will make reasonable efforts to appoint a surrogate parent within thirty days of its determination that a surrogate parent is required for a pupil. If the district fails to appoint a surrogate parent for a ward of the State, a judge may appoint a surrogate parent if the judge determines a surrogate parent is necessary for such a pupil.

The person serving as a surrogate parent:

1. Shall have no interest that conflicts with those of the pupil he/she represents;
2. Shall possess the knowledge and skills that ensure adequate representation of the pupil;
3. Shall not be replaced without cause;
4. Shall be at least eighteen years of age;
5. Shall have a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school district compensates the surrogate parent for such services; and
6. Shall not be an employee of the New Jersey Department of Education, this district, or a public or nonpublic agency that is involved in the education or care of the child.

The Social Worker will determine whether there is a need for a surrogate parent for a pupil, contact any State agency that is involved with the pupil to determine whether the State has a surrogate parent appointed for the pupil, and will make reasonable efforts to appoint a surrogate parent for the pupil within thirty days of determining that there is a need for a surrogate parent for the pupil.

When a pupil (who is or may be a pupil with a disability) is in the care of a foster parent residing in this district, and the foster parent is not the parent of the pupil as defined in N.J.A.C. 6A:14- 1.3, the Social Worker shall contact the pupil's case manager at the Division of Youth and Family Services (DYFS) in the Department of Human Services to determine whether the parent(s) retains the right to make educational decisions and to determine the whereabouts of the parent(s).

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

If the parent(s) retains the right to make educational decisions and the parent's whereabouts are known to the school district, the Child Study Team Case Manager shall obtain all required consent from and provide written notices to the parent(s).

If the district cannot ascertain the whereabouts of the parent(s), the Social Worker shall consult with the pupil's case manager at DYFS to assist in identifying an individual, including the foster parent, who may serve as a surrogate. If there is no foster parent, or if the foster parent is unwilling to serve as the pupil's parent pursuant to N.J.A.C. 6A:14-1.3, the Child Study Team Case Manager shall consult with the pupil's case manager at DYFS to assist in identifying an individual to serve as a surrogate parent and the Teaneck Community Charter School Board of Trustees shall appoint a surrogate parent and obtain all required consent from and provide written notices to the surrogate parent.

### **C. Training**

N.J.A.C 6A:14-2.2(d) requires the district to train surrogate parents so they have the knowledge and skills that ensure adequate representation of the pupil. The Social Worker shall coordinate the training for surrogate parents. The training will include, but not be limited to:

1. Providing the surrogate parent a copy of:
  - a. Parental Rights in Special Education booklet;
  - b. N.J.A.C. 6A:14;
  - c. The Special Education Process;
  - d. Code Training Materials from the Department of Education website; and
  - e. Other relevant materials.
2. Providing the surrogate parent an opportunity to meet with the Child Study Team Case Manager to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The Child Study Team Case Manager shall provide the surrogate parent the opportunity to review and to become familiar with the State and Federal requirements for assessment, individualized educational program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;
3. Providing the surrogate parent adequate time to become familiar with the pupil and the nature of the pupil's disability through a review of the pupil's record;
4. Providing the surrogate parent an opportunity to confer with the pupil's case manager to discuss the pupil; and
5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the pupil.
  - a. Rights of the Surrogate Parent
  - b. A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

## IX. GLOSSARY OF TERMS

### A

#### **Adult student**

A person who has attained age 18, is not under legal guardianship and is entitled to receive educational programs and services in accordance with federal and state law or regulation.

### C

#### **Case Manager**

- A case manager shall be assigned to a student when an initial referral is made. CST members or speech-language specialists when they act as members of the CST shall be designated and serve as the case manager for each student with a disability.
- The case manager shall coordinate the development, monitoring and evaluation of the IEP's effectiveness. The case manager shall facilitate communication between home and school and shall coordinate the annual review and reevaluation process.

#### **CST members**

Includes a school psychologist, a learning disabilities teacher-consultant (LDT-C), school social worker and speech specialist when applicable .

#### **Consent**

Written agreement that is required by N .J .A.C. chapter 14. Consent shall be obtained from the parent(s) having legal responsibility for educational decision-making. The district board of education shall ensure that the parent:

- Has been fully informed of all information relevant to the activity for which consent is being
- sought, in his or her native language or other mode of communication.
- Understands and agrees in writing to the implementation of the activity for which consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to
- whom;
  - Understands that the granting of consent is voluntary and may be revoked at any time; and
  - If the parent revokes consent, that revocation is not retroactive (that is, it does not negate an action that has occurred after the consent was given and before the consent was revoked).

### D

#### **Discipline/suspension/expulsions**

- For disciplinary reasons, school officials may order the removal of a student with a disability from his or h e r current educational placement to an interim alternative educational setting, another setting, or a suspension for up to 10 consecutive or cumulative school days in a school year.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- School district personnel may, on a case-by-case basis, consider any unique circumstances when determining whether to impose a disciplinary sanction or order a change of placement for a student with a disability who violates a school conduct code.
- Removals of a student with a disability from the student's current educational placement for disciplinary reasons constitutes a change of placement if:
  - The removal is for more than 10 consecutive school days; or
  - The student is subjected to a series of short-term removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of factors such as the length of each removal, the total amount of time the student is removed and the proximity of the removals to one another.
- School officials, in consultation with the student's case manager, shall determine whether a series of short-term removals constitutes a pattern that creates a change of placement.
- Disciplinary action initiated by a district board of education which involves removal to an interim alternative educational setting, suspension for more than 10 school days in a school year or expulsion of a student with a disability shall be in accordance with 20 U.S.C. §1415(k) as amended and supplemented.
- In the case of a student with a disability who has been removed from his or her current placement for more than 10 cumulative or consecutive school days in the school year, the district board of education shall provide services to the extent necessary to enable the student to progress appropriately in the general education curriculum and advance appropriately toward achieving the goals outlined in the student's IBP.

**E**

**Extended school year (ESY) services**

Special education and related services that are provided to a student with a disability beyond the normal school year in accordance with the student's IEP at no cost to the parent.

**F**

**FAPE**

Is an acronym for Free Appropriate Education guaranteed under the Individuals with Disabilities Education Act (IDEA).

**G**

**Graduation**

The IEP of a student with a disability who enters a high school program shall specifically address graduation requirements. The student shall meet the high school graduation requirements according to NJAC 6A:8-5.1(j) except as specified in the student's IEP. The IEP shall specify which requirements would qualify the student with a disability for the state endorsed diploma issued by the school district responsible for his or her education.



TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

Graduation with a state endorsed diploma is a change of placement that requires written notice according to NJAC 6A: 14-2.3 (t) and (g)

- As part of the written notice the parent shall be provided with a copy of the Department of Education's procedural safeguards statement.
- As with any proposal to change the educational program or placement of a student with a disability, the parent may resolve a disagreement with the proposal to graduate the student by requesting mediation or a due process hearing prior to graduation.
- In accordance with NJAC 6A:14-3.8 (d), a reevaluation shall not be required.
- When a student graduates or exceeds the age of eligibility, the student shall be provided a written summary of his or her academic achievements and functional performance prior to the student's graduation date or the school year's conclusion in which he or she exceeds the age of eligibility. The summary shall include recommendations to assist the child in meeting his or he postsecondary goals.

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.

Students with disabilities who meet the standards for graduation according to this section shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

## **I**

### **IEP team**

The group of individuals who are responsible for the development, review and revision of the student's individualized education program (IEP). The members of the IEP team are listed at NJAC 6A: 14-2.3(k)2.

### **Individualized Education Program (IEP)**

A written plan which sets forth present levels of academic achievement and functional performance, measurable annual goals and short-term objectives or benchmarks. It describes an integrated, sequential program of individually designed instructional activities and related services necessary to achieve the stated goals and objectives. This plan shall establish the rationale for the student's educational placement, serve as the basis for program implementation and comply with the mandates set forth in this chapter.

## **L**

### **Least Restrictive Environment (LRE)**

means that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate. They should have access to the general education curriculum, or any other program that non-disabled peers would be able to access. The student should be provided with supplementary aids and services necessary to achieve educational goals if placed in a setting with non-disabled peers. Generally, the less opportunity a student has to interact and learn with non-disabled peers, the more the placement is considered to be restricted.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**M**

**Manifest Determination**

is a process to determine if a student's behavior problem was or was not a manifestation of the student's disability.

**N**

**Native Language**

Written notice to the parent and parent conferences required by this chapter shall be conducted in the language used for communication by the parent and student unless it is clearly not feasible to do so.

Foreign language interpreters or translators and sign language interpreters for the deaf shall be provided, when necessary, by the district board of education at no cost to the parent.

**P**

**Parent**

means the natural or adoptive parent, the legal guardian, foster parent when willing to so serve, and/or surrogate parent who has been appointed according to N.A.J.C.6A:14-2.2(a) 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).

Parental consent shall be obtained:

- Prior to conducting any assessment as part of an initial evaluation;
- Prior to implementation of the initial IEP resulting from (a) above;
- Prior to conducting any assessment as part of a reevaluation, except that such consent is not required if the district board of education can demonstrate that it has taken reasonable measures, consistent with (k) 7 below, to obtain such consent and the parent failed to respond
- Prior to the release of student records according to NJAC 6A:32;
- Each time a district board of education seeks to access private insurance covering a student with a disability;
- Whenever a member of an IEP team is excused from participating in a meeting pursuant to
- Whenever an IEP is amended without a meeting pursuant to NJAC 6A:14-3.7(d); and
- Whenever a parent and district board of education agree to waive a reevaluation pursuant to NJAC 6A: 14-3.8(a).

**R**

**Related services**

Defined in accordance with the term set forth in IDEA and its implementing regulations, as amended and supplemented, incorporated by reference herein and reproduced at chapter AppendixB.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**S**

**Statewide Assessment**

Students with disabilities shall participate in the statewide assessment system according to the following:

Except as provided in (a)2 below, students with disabilities shall participate in each content area of the general statewide assessment for their grade. Accommodations and modifications approved by the Department of Education shall be provided when determined necessary by the IEP team to students with disabilities who participate in the general statewide assessments.

**Student**

A person age three through 21 who is entitled to receive educational programs and services in accordance with federal or state law or regulation.

**Student age**

The school age of a student as defined by the following:

- "Age three" means the attainment of the third birthday. Children with disabilities attaining age three shall have a free, appropriate education available to them provided by the district board of education.
- "Age five" means the attainment of age five by the month and day established as the kindergarten entrance cutoff date by the district board of education. Students with disabilities attaining age five after the kindergarten entrance cutoff date shall continue to be provided preschool services for the balance of that school year.
- "Age 21" means the attainment of the 21st birthday by June 30 of that school year. Students with disabilities attaining age 21 during the school year shall continue to be provided services for the balance of that school year.

**T**

**Transfer**

When a student with a disability transfers from one New Jersey school district to another or from an out-of-state school district, the district's CST into which the student has transferred shall conduct an immediate review of the evaluation information and the IEP and, without delay, in consultation with the student's parents, provide a program comparable to that outlined in the student's current IEP until a new IEP is implemented.

When the IEP of a student with a disability does not describe any restrictions the student shall be included in the general education program provided by the district board of education.

**Transition services**

For students age 16 or older, is defined in accordance with the definition often set forth in IDEA and its implementing regulations, as amended and supplemented. For students under age 16, transition services are defined in NJAC 6A:14-3.7(e)11.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**W**

**Ward of the State**

A student who, pursuant to an order of a court competent jurisdiction, is under the guardianship of an agency of the state, is a foster child or is a student who, pursuant to an order of a court of competent jurisdiction, is in the custody of the state child welfare agency.

**Written Notice**

The responsibility the school has to the parent to inform them of decisions made about their child. Written Notice must be given when the school district:

1. Proposes to start or change:
  - a. The identification, evaluation, and classification
  - b. The implementation of an IEP or educational placement
  - c. The provision of a free, appropriate public education (FAPE) to the student
  - d. A reevaluation
2. Asks for consent
3. Approves or denies a request the parent has made in writing about the identification, evaluation, educational placement or provision of a free and appropriate public education to the student

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix A: Special Education Staff**

Name	Position	Description
Ralph Gallo	Executive Director	Oversees all special education policies, hiring, and funding.
Sonia Torres	Principal	Directs instruction, including curriculum development, lesson observation and feedback, and professional development.
Kristina Anders	Director of Special Services	Ensures implementation of special education policies, procedures and compliance. Coordinates hiring and special education scheduling. Oversees curriculum implementation and ensures instruction is provided in compliance with Individualized Education Plans (IEPs) and 504s. Conducts lesson observation and feedback Coordinates targeted professional development.
Phyllis Puzio	Learning Disabilities Teacher Consultant (LDT-C)	Special Education Case Manager Consults and provides guidance on learning needs of students
Andrew Blanco	School Social Worker	Special Education Case Manager Consults and provides guidance on social/emotional needs of students Provides general and special education school-based counseling
Alicia Alonso-Cappas	Speech/Language Pathologist	Special Education Case Manager Provides speech and language therapy services Consults and provides guidance on the language development of students.
Melissa Gorman*	School Occupational Therapist	Provide occupational therapy services. Consults and provides guidance on the fine motor and sensory development of students.
Amanda Bach Dana Durham Julianna Germinario Lindsey Russo	Special Education Teachers	Provides instruction in compliance with Individualized Education Plans Collaborate with general education teachers to ensure students are provided with most appropriate education

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

Lori Stuart		Ensures all modifications and accommodations are provided effectively.
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\*Contracted Independent Provider

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix B: Child Study Team**

Name	Position	Description
Kristina Anders	Director of Special Services	Monitors and maintains compliance Disseminates cases to case managers Schedules and runs initial referral and subsequent meetings
Phyllis Puzio	Learning Disabilities Teacher Consultant (LDT-C)	Special Education Case Manager Conducts and reports on learning/academic achievement evaluations per identification and reevaluation meetings. Consults and provides guidance on learning needs of students
Andrew Blanco	School Social Worker	Special Education Case Manager Conducts and reports on social history evaluations per identification and reevaluation meetings. Consults and provides guidance on social/emotional needs of students
Audrey Mezei*	School Psychologist	Conducts and reports on psychological evaluations per identification and reevaluation meetings.
Alicia Alonso-Cappas	Speech/Language Pathologist	Special Education Case Manager Conducts and reports on Speech and Language evaluations per identification and reevaluation meetings. Consults and provides guidance on the language development of students.
Melissa Gorman*	School Occupational Therapist	Conducts and reports on Occupational Therapy evaluations per identification and reevaluation meetings. Consults and provides guidance on the fine motor and sensory development of students.
General education and special education teachers also join the child study team as needed.		

\*Contracted Independent Provider

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix C: Intervention and Referral Services Committee**

<b>Name</b>	<b>Position</b>	<b>Description</b>
Kristina Anders	Director of Special Services	Overseas program and hiring Provides funding and resources
Dana Durham	I&RS Chair	Overall management of the I&RS committee Collect student referrals and assign case managers Schedule and maintain records for I&RS committee meetings Collaborate with administration on needs of program Serve as I&RS case manager
Andrew Blanco Christina Hunter Lori Stuart	I&RS Case Managers	Collaborate with I&RS committee team members Disseminate and collect necessary paperwork Participate in professional development sessions for each of the designated intervention platforms Create and maintain a intervention plan for student(s) on case manager Appropriately utilize designated platforms for intervention instruction Demonstrate clear and accurate oral and written communication. Monitor student progress toward achievement of academic and/or behavioral goals Work cooperatively with staff, students and parents
Roda Werking	School Nurse	Full-time school nurse providing health care and education.
Andrew Blanco	School Social Worker	Consult and provide suggestions for social/emotional needs of students
Phyllis Puzio	Learning Disabilities Teacher Consultant (LDT-C)	Consult and provide suggestions for academic needs of students
Alicia Alonso-Cappas	Speech/Language Pathologist	Consults and provides guidance on the language development of students.
Melissa Gorman*	School Occupational Therapist	Consults and provides guidance on the fine motor and sensory development of students.



TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix D. Child Study Team Initial Referral Checklist**

- \_\_\_\_\_ Referral documentation received
- \_\_\_\_\_ Director of Special Services contacts parent to determine best meeting date and confirms with case manager
- \_\_\_\_\_ Planning meeting date is given to school personnel by the Director of Special Services
  - All team members (LDT-C, Psychologist, Social Worker, teacher and school rep/admin) must attend
  - Must occur within 20 calendar days of initial referral
- \_\_\_\_\_ Planning meeting notification letter and electronic copy of the Parental Rights in Special Education (PRISE) is sent to parent/guardian(s) via email.
- \_\_\_\_\_ Planning meeting is held, evaluation plan is filled out and original evaluation plan is sent to evaluators, if necessary

If evaluations are NOT warranted:

- \_\_\_\_\_ Appropriate education plan put into place (i.e. refer back to I&RS, 504 Development, strategies provided to teacher and/or parents, etc.)
- \_\_\_\_\_ Case closed by CST

If evaluations are warranted:

- \_\_\_\_\_ Consent is received → If not, the case is closed.
- \_\_\_\_\_ Evaluation notification is sent to pertinent staff via Realtime
- \_\_\_\_\_ Evaluations conducted and reports completed.
- \_\_\_\_\_ Evaluations, including summaries, are uploaded into Realtime
- \_\_\_\_\_ Director of Special Services contacts parent to schedule eligibility determination meeting and confirms with case manager
- \_\_\_\_\_ Eligibility meeting date is given to school personnel by the Director of Special Services
  - Must occur within 90 calendar days of consent date
- \_\_\_\_\_ Eligibility meeting notification letter is sent to parent/guardian(s) via email.
- \_\_\_\_\_ Evaluations received by the parents via email (no later than 14 days prior to eligibility meeting)
- \_\_\_\_\_ Surveys are sent to general education teacher for completion, if needed, via Realtime (determined by case manager)
  - Must be submitted at least one week prior to the eligibility meeting

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

- \_\_\_\_\_ Eligibility meeting is held, eligibility document is completed and if necessary draft IEP is completed
- \_\_\_\_\_ Signatures of participants on eligibility and IEP (if needed) is done and original documents are retained by case manager
- \_\_\_\_\_ Final copies are sent to the parent via email and if necessary, parental signature for initial implementation is obtained if not done at the meeting

*NOTE: SERVICES CANNOT BEGIN UNTIL PARENTAL SIGNATURE IS RECEIVED.*

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix E. Key New Jersey Special Education Timelines**

<b>Action</b>	<b>Citation</b>	<b>Deadline</b>	<b>Code</b>
Response to parent request for new or changed IEP	6A:14-2.3	20 calendar days	Upon receipt of any written parental request to initiate or change the referral, identification, classification, evaluation, educational placement or the provision of a free, appropriate public education, a response that meets the requirements of written notice in (g) above shall be provided to the parent within 20 calendar days, excluding school holidays but not summer vacation.
Determination meeting to respond to request for new or changed IEP	6A:14-2.3	20 calendar days; notice within 15 calendar days	When a meeting is required to make the determination and respond to the parental request, the meeting shall be conducted and a determination made within 20 calendar days, excluding school holidays but not summer vacation. Written notice of the determination shall be provided within 15 calendar days of the meeting.
Notification of determination	6A:14-2.3	15 calendar days	The district board of education shall provide written notice at least 15 calendar days after making a determination. The district shall provide written notice at least 15 calendar days prior to the implementation of a proposed action so that the parent may consider the proposal.
Completion of evaluation	6A:14-2.5	45 calendar days	If the school district determines to conduct the evaluation, it shall notify the parent in writing and complete the evaluation within 45 calendar days of the date of the parent's request.
Response to request for an independent evaluation	6A:14-2.5	10 school days	The school district shall determine within 10 days of receipt of the re request for an independent evaluation whether or not to conduct the evaluation.
Hearing for parental request for independent evaluation	6A:14-2.5	20 calendar days	Not later than 20 calendar days after receipt of the parental request for the independent evaluation, the school district shall request the due process hearing.
Mediation conference	6A:14-2.6	15 calendar days for scheduling; 30 days complete	A mediation conference consistent with New Jersey law and rules shall be scheduled within 15 calendar days after receipt of a written request and completed within 30 days of the date of the request.
Time mediator may delay mediation hearing to obtain more evidence	6A:14-2.6	45 days	The role of the mediator is, when appropriate, to adjourn the mediation to a date certain, but not more than 45 days from the date of the request for a mediation conference, at the request of the parties to obtain additional information or explore options; and
Parent request for enforcement of mediation agreement	6A:14-2.6	90 calendar days	If the parent believes the mediation agreement is not being implemented as written, the parent may request enforcement of the agreement provisions ... no later than the 90 <sup>th</sup> calendar day from the date that the action set forth in the mediation agreement that is the subject of the enforcement request was required to have

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

			occurred or have been completed.
Parent request for due process hearing	6A:14-2.7	2 years	A request for a due process hearing shall be filed within two years of the date the party knew or should have known about the alleged action that forms the basis for the due process petition.
Response to request for due process	6A:14-2.7	10 days	Except when a response is required to be filed by a district pursuant to (e) below, the party against whom a request for a due process hearing is directed shall, within 10 days of the filing of a request for a due process hearing, provide a written response specifically addressing the issue(s) raised in the request for a due process hearing to the party that requested the due process hearing.
Response to request for due process	6A:14-2.7	10 days	When a parent requests a due process hearing, or an expedited due process hearing (for disciplinary issues) and the district has not sent a prior written notice to the parent regarding the subject matter contained in the parent's due process request, the district shall send a written response to the parent within 10 days of receiving the petition.
Notice for due process hearing	6A:14-2.7	15 days	The notice for a hearing will be considered sufficient unless the respondent notifies the Office of Special Education Programs and the complaining party (petitioner), in writing, within 15 days of receipt of the request for a due process hearing
Resolution meeting for due process hearing	6A:14-2.7	15 days/7 days	For a due process hearing, the resolution meeting shall be held within 15 days of receiving the parents' request. For an expedited due process hearing, the resolution meeting shall be held within seven days of receiving the request.
Transfer to OAL if due process hearing fails	6A:14-2.7	30 days	If the parties fail to participate in mediation within 30 days of the date the request for a due process hearing is submitted, the matter shall be transmitted to the Office of Administrative Law for a due process hearing with a notation that the parties declined a resolution meeting and requested mediation, but that the mediation conference failed to occur.
Expedited hearing held	6A:14-2.7	20 days	The expedited hearing shall be conducted and completed within 20 school days of receipt of the request by the Office of Special Education Programs
Resolution meeting for due process hearing	6A:14-2.7	15 days/7 days	The resolution meeting or, if requested by both parties, mediation shall be scheduled within seven days and completed within 15 days
Appeal for ALJ final decision	6A:14-2.7	90 days	Any appeal of a final decision of an administrative law judge in a due process hearing shall be filed within 90 days of the date of issuance of the final decision.
Child study team	6A:14-3.3	20 calendar days	When a preschool age or school age student is referred for an initial evaluation to determine eligibility for

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

meeting held		of referral	special education programs and services under this chapter, a meeting of the child study team, the parent and the regular education teacher of the student who is knowledgeable about the student's educational performance or, if there is no teacher of the student, a teacher who is knowledgeable about the district's programs, shall be convened within 20 calendar days (excluding school holidays, but not summer vacation) of receipt of the written request.
Evaluation conducted	6A:14-3.4	90 calendar days after parental consent	After parental consent for initial evaluation of a preschool age or school age student has been received, the evaluation, determination of eligibility for services under this chapter, and, if eligible, development and implementation of the IEP for the student shall be completed within 90 calendar days.
Notice of post-evaluation meeting	6A:14-3.5	10 calendar days prior to meeting	When an initial evaluation is completed for a student age three through 21, a meeting according to N.J.A.C. 6A:14-2.3(k)1 shall be convened to determine whether the student is eligible for special education and related services. A copy of the evaluation report(s) and documentation and information that will be used for a determination of eligibility shall be given to the parent not less than 10 calendar days prior to the meeting
Copy of speech evaluation provided	6A:14-3.6	10 calendar days prior to meeting	The speech-language specialist who conducted the evaluation shall be considered a child study team member at the meeting to determine whether a student is eligible for speech-language services. A copy of the evaluation report(s) and documentation of eligibility shall be given to the parent not less than 10 calendar days prior to the meeting.
Meeting to develop IEP	6A:14-3.7	30 calendar days of referral	A meeting to develop the IEP shall be held within 30 calendar days of a determination that a student is eligible for special education and related services or eligible for speech-language services. An IEP shall be in effect before special education and related services are provided to a student with a disability and such IEP shall be implemented as soon as possible following the IEP meeting
Amendment without child study team approval	6A:14-3.7	15 days of writing IEP + 15 days for parent consent	The IEP may be amended without a meeting of the IEP team as follows: 1. The IEP may be amended if the parent makes a written request to the district board of education for a specific amendment to a provision or provisions of the IEP and the district agrees; 2. The school district provides the parent a written proposal to amend a provision or provisions of the IEP and, within 15 days from the date the written proposal is provided to the parent, the parent consents in writing to the proposed amendment; 3. All amendments pursuant to (d) 1 and 2 above shall be incorporated in an amended IEP or an addendum to the IEP, and a copy of the

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

			amended IEP or addendum shall be provided to the parent within 15 days of receipt of parental consent by the school district;
Annual review of IEP	6A:14-3.7	By June 30 of last year of IEP	1. The annual review of the IEP for a preschool student with disabilities shall be completed by June 30 of the student's last year of eligibility for a preschool program.  2. The annual review of the IEP for an elementary school student with disabilities shall be completed by June 30 of the student's last year in the elementary school program. The annual review shall include input from the staff of the secondary school
Multi-disciplinary evaluation of IEP	6A:14-3.8	Every 3 years	Within three years of the previous classification, a multi-disciplinary reevaluation shall be completed to determine whether the student continues to be a student with a disability
Decision to implement IEP from previous NJ public school	6A:14-4.1	30 days of transfer	For a student who transfers from one New Jersey school district to another New Jersey school district, if the parents and the district agree, the IEP shall be implemented as written. If the appropriate school district staff do not agree to implement the current IEP, the district shall conduct all necessary assessments and, within 30 days of the date the student enrolls in the district, develop and implement a new IEP for the student
Decision to implement IEP from previous out-of-state public school	6A:14-4.1	30 days of transfer	If the student transfers from an out-of-State district, the appropriate school district staff shall conduct any assessments determined necessary and, within 30 days of the date the student enrolls in the district, develop and implement a new IEP for the student
Decision to implement IEP from previous nonpublic school	6A:14-4.1	60 days of transfer	When a student with a disability transfers from a nonpublic school with a services plan, appropriate school district staff shall conduct an immediate review of the services plan and shall provide comparable services pending completion of any necessary assessments and, as appropriate, the development of an IEP for the student. An IEP for the student shall be in place within 60 calendar days from the date of enrollment in the school district
Placement of student with IEP	6A:14-4.2	At least annually	Placement of a student with a disability is determined at least annually and, for a student in a separate setting, activities necessary to transition the student to a less restrictive placement are considered at least annually
Notification for home instruction	6A:14-4.8	60 calendar days	Prior written notification that a district intends to provide home instruction shall be provided to the Department of Education through its county office.2. Notification shall be effective for a maximum of 60 calendar days at which time renewal of the notification may be made. Each renewal shall be for a maximum of

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

			60 calendar days
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TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix F: Special Education Services Offered**

<b>Service</b>	<b>Description</b>
<p><b>Self-Contained/ Special Class (80% Out-of-Class Resource)</b></p>	<p>When it is determined that a special education student needs additional support and/or more individualized instruction with modifications in all academic subjects, the student is placed in a Special Class. This program utilizes an adapted mainstream curriculum and is presented by Special Education department teachers. The special class is designed to provide special education students the maximum amount of support with a small class size. Currently Teaneck Community Charter School does not require a self-contained class as our curriculum and teacher:student ratio in our resource room classes is sufficiently meeting the academic needs of our students. Students in these classes continue to participate with general education classes for all essentials, including art, music, PE, Spanish, and elective, as well as lunch and recess.</p>
<p><b>Out-of-Class Resource (OCR)</b></p>	<p>When it is determined that a special education student needs specialized instruction and/or curriculum, additional support and/or more individualized instruction with modifications, the student may be placed in Out-of-Class Resource on a subject-by-subject basis. This program utilizes an adapted mainstream curriculum and is presented by Special Education department teachers.</p>
<p><b>In-Class Support (ICS)</b></p>	<p>The in-class support program places special education students in regular education classes with the inclusion of a Special Education teacher in the room for support. This teacher works in conjunction with the mainstream teacher to present material in various ways and to assist in adapting lessons to meet the needs of the special education students.</p>
<p><b>Counseling</b></p>	<p>The social worker provides various counseling services to address social and emotional needs of students as identified in their Individual Education Programs.</p>
<p><b>Speech-Language Therapy</b></p>	<p>Dynamic Therapeutic Services provides on-site speech-language therapy for students with speech and/or language disabilities. A speech disability refers to a problem with the actual production of sounds, whereas a language disability refers to a difficulty understanding or putting words together to communicate ideas.</p>
<p><b>Occupational Therapy</b></p>	<p>The school occupational therapist provides on-site occupational therapy treatments to develop, recover, or maintain the daily living and work skills of their patients</p>



TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix G: Special Education Services Providers**

<b>Service</b>	<b>Provider</b>
<b>Speech-Language Therapy</b>	Alicia Alonso-Cappas (on staff)
<b>Occupational Therapy</b>	Melissa Gorman (contracted)
<b>Physical Therapy, Behaviorist, Other related services</b>	Contracted with Delta-T or Northern Region Educational Services Commission
<b>Home Instruction</b>	Provided by TCCS staff members, as needed

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix H: Special Education Parent Involvement Plan**

Teaneck Community Charter School (TCCS) seeks parent involvement in special education at every level:

- TCCS will hold special education parent nights in the fall and the spring to inform all parents of special education policies, procedures and services. During those sessions, copies of this policy manual will be distributed.
- TCCS will ensure that a parent who might have a disability and/or who does not understand English has a meaningful opportunity to understand the outreach information as effectively as other parents. Appropriate auxiliary aids and services will be made available whenever they are necessary. Qualified interpreters, translations, or another effective means of communication will be provided if requested.
- TCCS will promptly notify parents of their intent to evaluate their child for special education services. The school will provide a copy of the Parental Rights in Special Education (PRISE) to inform them of their rights and role in the special education process.
- TCCS will obtain parental consent for initial evaluation before the process begins.
- TCCS will involve parents fully in the IEP process and seek consent before initial placement and provision of services.
- TCCS will honor the parental right to a due process hearing if they disagree with the school's recommendations for their child.

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**Appendix I: IDEA Funding Plan**

In accordance with the Individuals with Disabilities Education Act (IDEA) Amounts, Teaneck Community Charter School uses IDEA funds only to pay the excess costs of providing special education and related services to children with disabilities. (34 C.F.R. Section 300.184)

*IDEA Part-B Funding*

For 2021-2022. Teaneck Community Charter School was awarded \$74,108 in IDEA Basic Funding and \$2,056 in IDEA Preschool Funding. This funding will be used to support the salary of our LDTC and per diem contract with our Occupational Therapist, enhance our Extended School Year (ESY) program and provide additional funding for special education teacher supplies.

**IDEA Part-B Preschool**

Function	Expenditure Category	Supports	Amount
200-100	Personal Services - Salaries	LDT-C	\$2,056
		<b>TOTAL</b>	\$2,056

**IDEA Part-B Budget**

Function	Expenditure Category	Supports	Amount
100-100	Personal Services - Salaries	Extended School Year Staff	\$20,000
100-600	Instructional Supplies	Special Education staff supplies	\$4,108
200-100	Personal Services - Salaries	LDT-C	\$30,000
200-300	Personal Services - Per Diem Contract	Occupational Therapist	\$20,000
		<b>TOTAL</b>	\$74,108

*IDEA Part-B Funding*

For 2021-2022. Teaneck Community Charter School was awarded \$15,479 in American Rescue Plan (ARP) IDEA Basic Funding and \$1,320 in ARP IDEA Preschool Funding. This funding will be used to support the salary of our school social worker, purchase a specialized, digital math program, as well as, classroom and individual manipulatives to supplement the learning of our classified students in the resource room,

**ARP IDEA Preschool**

Function	Expenditure Category	Supports	Amount
200-100	Personal Services - Salaries	School Social Worker	\$1,320
		<b>TOTAL</b>	\$1,320

TEANECK COMMUNITY CHARTER SCHOOL  
OFFICE OF SPECIAL SERVICES

**ARP IDEA Budget**

<b>Function</b>	<b>Expenditure Category</b>	<b>Supports</b>	<b>Amount</b>
100-600	Instructional Software	Successmaker	\$4,111
200-100	Personal Services - Salaries	School Social Worker	\$8,038
200-300	Consultants, professional	Professional Development/coaching for co-teachers in inclusion classrooms	\$2,010
200-600	Non-instructional supplies	KTEA III	\$1,131
200-600	Non-instructional supplies	KTEA Dyslexia Screener	\$189
		<b>TOTAL</b>	\$15,479