

# POLICY

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LINCOLN PARK

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Special Education-Free Appropriate Public Education  
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## 2460.1 SPECIAL EDUCATION -FREE APPROPRIATE PUBLIC EDUCATION

The Board of Education shall provide all pupils with disabilities, including pupils with disabilities who have been suspended or expelled from school, a free appropriate public education in accordance with the standards set under the Individuals with Disabilities Education Act (IDEA), (20 U.S.C. §1400 et seq.). Programs and services shall be provided to pupils age three through twenty-one. The Board shall provide information regarding services available through other State, county and local agencies to parents and/or legal guardians of children with disabilities below the age of three. A free appropriate special education and related services to pupils with disabilities age three through twenty-one shall be provided at public expense, under public supervision and with no charge to the parent(s), legal guardian(s) and/or the adult pupil. Special education and related services to pupils with disabilities age three through twenty-one shall be administered, supervised and provided by appropriately certified professional staff members and be located in facilities that are accessible to the disabled. All special education programs and services provided under this chapter shall be subject to review and approval by the New Jersey Department of Education. The special education staff of the school district shall maintain documentation demonstrating compliance with the IDEA, N.J.A.C. 6A:14.1 et seq., and with all Board policies and school district regulations pertaining to special education.

Pupils with disabilities educated by the school district shall be placed in facilities or programs which have been approved by the New Jersey Department of Education in accordance with N.J.S.A. 18A:46-14 and 15. The school district special education staff shall ensure hearing aids worn by children who are deaf and/or hard of hearing are functioning properly.

The school district is eligible for assistance, under the IDEA Part B, for a fiscal year by having a special education plan in effect that is approved by the New Jersey Department of Education through its County Office of Education. The plan shall consist of policies, procedures, assurances; a comprehensive system of personnel development; data collection and an application that describes the use of the Part B funds. Such components of the plan shall be consistent with the approved State Plan for Special Education and N.J.A.C. 6A:14.1 et seq.

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The Superintendent shall provide written assurance of the school district's compliance with the policies, procedures and program requirements of N.J.A.C. 6A:14-1.2.

Annually, the Superintendent shall describe how the school district will use the funds under Part B of the IDEA during the next school year and the school district shall submit a report of the numbers of pupils with disabilities according to their federal disability category, age, racial-ethnic background, and placement, a report of the staff, including contracted personnel, providing services to identify, evaluate, determine eligibility, develop Individualized Education Programs (IEP), provide related services and/or instruction to pupils with disabilities and the full-time equivalence of their assignments and relevant information on current and anticipated personnel vacancies and shortages; and any additional reports as required by the IDEA (20 U.S.C. §1400 et seq.) including, but not limited to, the number of pupils with disabilities who are exiting education, subject to suspensions and expulsions; removed to interim alternative education settings, and participating in Statewide assessments. Upon request, reports in addition to those included in this policy shall be submitted to the New Jersey Department of Education including, but not limited to, the number of pupils with disabilities by racial-ethnic group identified as potentially disabled, evaluated and newly classified.

The approved special education plan submitted by the school district of residence shall remain in effect until the County Office of Education approves such amendments as the school district of residence deems necessary unless the provisions of the IDEA Amendments of 1997, or its regulations are amended, or if there is a new legally binding interpretation of the IDEA by federal or State courts, or if there is an official finding of noncompliance with federal or State law or regulations. Under these circumstances the New Jersey Department of Education through the County Offices of Education shall require the school district to modify its special education plan only to the extent necessary to ensure compliance with federal and/or State requirements.

The Superintendent directs the implementation of statutes, rules of the State Board of Education, and related policies and regulations regarding programs and services for children with disabilities.

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N.J.S.A. 18A:46-1 et seq.  
N.J.S.A. 1:6A-1.1 et seq.  
N.J.A.C. 6A:14-1 et seq.  
20 U.S.C. §1400 et seq.

Adopted: 22 June 1999