



MOUNTAINSIDE SCHOOLS SPECIAL EDUCATION FAQ

WHAT SUPPORTS ARE IN PLACE TO SUPPORT MY STUDENT IF THEY ARE STRUGGLING AT SCHOOL?

- Interventions in the general education setting are often recommended to students exhibiting difficulties. As appropriate, these interventions may be considered prior to referral to Special Education but not legally mandated. Mountainside schools uses an Response to Intervention (RTI) approach to support struggling students.

WHAT'S THE DIFFERENCE BETWEEN AND IEP AND 504 PLAN?

- Special education and 504 Plans are both legal documents intended to support learners with a disabling condition.
- Special Education services falls under IDEA (Individuals with Disabilities Education Act) and provides students with a Special Education Classification and specialized instruction and/or related services. Students must have a disability under one of the classification categories outlined in the NJAC 6A:14. The disability must adversely impact a student's educational performance and warrant specialized instruction and related services.
- A 504 Plan falls under Section 504 of the Rehabilitation Act of 1973 and provides students with accommodations. A student must have a physical or mental condition that substantially limits a major life activity.

WHO CAN REFER TO THE CHILD STUDY TEAM?

- A student may be referred to the Child Study Team for consideration by teachers, parents/guardians, counselors, and/or building administrators. This includes the RTI team. It is recommended to send your referral to the Special Services Office. Please note, as outlined in N.J.A.C. 6A:14-3.3, a medical prescription does not constitute a formal referral for special education. While it may document a medical condition or disability, a referral requires a separate written request from a parent, guardian, or school staff member.

WHAT HAPPENS AFTER MY STUDENT IS REFERRED TO CHILD STUDY TEAM?

- Upon receipt of referral, the district will assign your student a Case Manager. Within 20 calendars (excluding school closures), the Case Manager will convene a meeting with the Child Study Team to determine whether evaluations for Special Education and Related Services are warranted. Parents/Guardians are a member of the Child Study Team.

WE HAVE A DOCTOR'S PRESCRIPTION / PRIVATELY COMPLETED EVALUATION WITH RECOMMENDATIONS FOR AN IEP AND SPECIAL EDUCATION SERVICES, DOES THE DISTRICT HAVE TO FOLLOW THOSE RECOMMENDATIONS?

- Medical prescriptions and privately completed evaluations, while potentially relevant, do not always provide the educational context necessary for school based services. The District members of the team will review and consider any outside evaluation and recommendations as part of the eligibility and program planning process, but there is no legal requirement to accept privately submitted evaluations.



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WHAT ARE THE TIMELINES FOR REFERRAL?

- Upon receipt of referral, the district has 20 calendar days (excluding school closures) to convene a meeting. Oftentimes this meeting is called an Identification Determination Meeting or Initial Planning Meeting. This may also be combined with Early Intervention's TPC meeting if your student is referred from NJ Early Intervention.
- If evaluations are recommended for initial referral, the team must complete the evaluations, send reports, and convene a meeting to discuss eligibility within 90 days. Of note, reports should be received by the parents/guardians 10 days prior to the meeting.

WHAT CLASSIFICATION CATEGORIES CAN MY STUDENT BE FOUND ELIGIBLE UNDER?

- For School Aged students there are 13 classification categories in which a student may be found eligible under, including: Auditory impairment, Autism, Intellectual disability, Communication impairment, Emotional regulation impairment, Multiple disabilities, Deaf/blindness, Orthopedic Impairment, Other health impairment, Social Maladjustment, Specific Learning Disability, Traumatic brain injury and Visual Impairment.
- For preschool aged students, there is only 1 classification category: Preschool Child with a Disability.

WHAT IS AN IEP?

- When a student is found eligible for Special Education Services an IEP is created. An IEP is an individualized educational program. An IEP is a legally binding plan outlining a student's educational program, goals, services, and accommodations.

WHO SERVES ON THE IEP TEAM?

- Parents/guardians, General education teacher and Special education teacher, Child Study Team member(s) and Case Manager are required members of the team.

WHAT RIGHTS DO PARENTS HAVE WHEN THERE IS A DISPUTE?

- While the district hopes to resolve disputes collaboratively with parents and guardians, Parents have rights in Special Education, including dispute resolution rights. This may included options for mediation, due process, and emergent relief.
- Parental Rights can be found here:
<https://www.nj.gov/education/specialed/parents/ParentalRightsinSpecialEducation2023.pdf>

Additional Resources:

- Your friendly CST member or Supervisor of Special Services
- Facilitated IEP (A free resource provided by the state)
- Statewide Parent Advocacy Network (SPAN)
- County Supervisor of Special Services
- An overview of Special Education and opportunities for learning can be found here:
<https://www.nj.gov/education/specialed/parents/>