

Livingston School District
Monitoring of State and Federal Requirements for
Placement in the Least Restrictive Environment

Overview

The settlement agreement between Disability Rights New Jersey, the Statewide Parent Advocacy Center and the Arc of New Jersey and the New Jersey Department of Education (NJDOE) requires compliance monitoring of the districts identified in the settlement agreement. The New Jersey Department of Education, Office of Special Education Programs (NJOSEP) visited the Livingston School District to monitor compliance with the requirements set forth in N.J.A.C. 6A:14-9.1, related to the placement of students with disabilities in the Least Restrictive Environment (LRE). The scope of work performed included a review of student records, interviews with administrators, child study team members and instructional staff, and interviews with parents of students with disabilities.

Monitoring Areas and Findings

Area 1: To the maximum extent appropriate, the child is educated with children who are not disabled.

Determination: Compliant

Area 2: Monitoring activities demonstrated that a) consideration was given to whether the student can be educated satisfactorily in the general education classroom with supplementary aids and services and b) an explanation of the rejection of any supplementary aids and services was given.

Determination: Compliant

Area 3: Monitoring activities demonstrated that the IEP includes a comparison of the benefits provided in the general education class and the benefits provided in the special education class.

Determination: Compliant

Area 4: Monitoring activities demonstrated that the IEP includes the potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or the other students in the class.

Determination: Compliant

Area 5: Monitoring activities demonstrated that, for students in separate settings, the IEP sets forth activities to move the student to a less restrictive placement.

Determination: Compliant

Area 6: A full continuum of alternative placements is available.

Determination: Compliant

Area 7: Placement must be as close to home as possible. Unless the IEP requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled.

Determination: Compliant

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Area 8: The child is not removed from education in age-appropriate general education classrooms solely because of needed modifications in the general education curriculum.

Determination: Compliant

Area 9: The LEA ensures that students participate with nondisabled children in nonacademic and extracurricular activities to the maximum extent appropriate.

Determination: Compliant

Required Action:

No further action is required by the district.