CHAPTER 107

AN ACT concerning Individualized Education Programs for special education students and supplementing chapter 46 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:46-1.4 Written statement regarding review of Individualized Education Program.

1. a. Not less than two business days prior to the annual team meeting concerning the review of an Individualized Education Program (IEP) for a special education student, the public school shall provide the student's parent or guardian with a written statement of items to be discussed at the meeting. The written statement of items shall be delivered to the parent or guardian by regular mail and, if the school maintains the parent's or guardian's email address on file, by electronic mail.

b. The written statement of items required pursuant to subsection a. of this section shall include:

(1) the student's current levels of academic and functional performance;

(2) a list of the names of any required IEP team members who are seeking excusal from participation in the IEP team meeting, accompanied by any excused IEP team member's input with respect to the programs and services for which the member is responsible. The list provided pursuant to this subsection shall be in addition to any requests for consent for excusal that are included with the notice of the IEP team meeting date and participants that is provided in accordance with federal and State law and regulation; and

(3) an invitation for the parent or guardian to provide input and feedback as to the programs and services proposed in the student's IEP.

2. a. There is established in the Department of Education the Individualized Education Program (IEP) Improvement Working Group. The purpose of the working group shall be to provide recommendations to the department regarding methods to improve the development and implementation of IEPs and to ensure parental involvement in the process.

b. The working group shall consist of members appointed by the Commissioner of Education. The working group shall be composed of members representing the northern, central, and southern regions of the State, and shall include, but not be limited to:

(1) three members who are employed as full-time teachers in a public school in the State who teach students with IEPs;

(2) two members who are employed as a principal in a public school in the State;

(3) two members who are employed as a director of special education in the State;

(4) two members of a school board of two different school districts in the State;

(5) two members who are employed as chief school administrators in a public school in the State;

(6) four or five members who are parents of students receiving special education services, at least one each at the prekindergarten, elementary, middle, and high school levels in a public school in the State;

(7) six members who have expertise working with, or representing, students with disabilities, including two members who have direct experience working with Black, Latino, and immigrant students with disabilities; one member who has direct experience providing transition services; and one member who is at least 21 years of age and has received special education and related services pursuant to an IEP; and

(8) four members who are part of a child study team in a public school in the State with one member employed as a school psychologist, one member employed as a school social worker, one member employed as a learning disabilities teaching consultant, and one member employed as a speech-language specialist.

c. Appointments to the working group shall be made within 60 days after the effective date of this act. The working group shall organize as soon as practicable, but no later than the 30th day after the members are appointed. Vacancies in the membership of the working group shall be filled in the same manner as the original appointments were made.

d. The department shall provide stenographic, clerical, and other administrative assistants, and professional staff as the working group requires to carry out its work. The working group shall be entitled to call to its assistance and avail itself of any non-confidential data maintained by the department and the services of the employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available for its purposes.

3. a. It shall be the duty of the working group established pursuant to section 2 of this act to examine, research, and make recommendations to the Department of Education regarding the development and implementation of Individualized Education Programs (IEPs) and the inclusion of parents in the process.

b. The recommendations shall include, but not be limited to, an examination of:

(1) practices utilized in other states that are different from practices in New Jersey for the development and implementation of IEPs and ensuring parental involvement in the process;

(2) the differences in practices used in different school districts within the State for the development and implementation of IEPs;

(3) research or other academic evidence of best practices with respect to development of IEPs;

(4) federal or State law restrictions on changes to the IEP process; and

(5) potential legislative, regulatory, funding, or other improvements to the State’s IEP process.

c. The working group shall issue a report, including its recommendations, no later than four months after the working group organizes.

4. This act shall take effect immediately and section 1 shall first apply to the first school year following the date of enactment.

Approved July 22, 2025.