

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 451

STATE OF NEW JERSEY

DATED: MAY 7, 2015

The Senate Education Committee favorably reports Senate Bill No. 451.

This bill establishes the Office of the Special Education Ombudsman in the Department of Education, which will serve as a resource to provide information and support to parents, students, and educators regarding special education rights and services. Under the bill, the Commissioner of Education will appoint a Special Education Ombudsman who is qualified by training and experience to perform the duties of the office. The ombudsman will also be skilled in communication, conflict resolution, and professionalism.

The duties of the Special Education Ombudsman will include, at a minimum, the following: (1) to serve as a source of information regarding State and federal laws and regulations governing special education; (2) to provide information and support to parents of students with disabilities in navigating and understanding the process for obtaining special education evaluations and services; (3) to provide information and communication strategies to parents and school districts for resolving disagreements concerning special education issues, and to educate parents on the available options for resolving such disputes; (4) to work neutrally and objectively with all parties to help ensure that a fair process is followed and that the special education system functions equitably and as intended; (5) to identify any patterns of complaints that emerge regarding special education rights and services, and to recommend strategies for improvement to the Department of Education; (6) to assist the department in creating public information programs that educate parents and the public about the ombudsman's duties; and (7) to serve as a resource for disability-related information and referrals to other available programs and services for individuals with disabilities, including early intervention and transition to adult life. The bill provides that the ombudsman will treat communications received in the course of his duties as confidential.

The bill directs the Special Education Ombudsman to make an annual report to the State Board of Education and the Commissioner of Education that includes a summary of the services the ombudsman provided during the year and recommendations concerning the State's implementation of special education procedures and services.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.