



**SPAN Parent Advocacy Network and Family Voices NJ comments on the Proposed
Readoption with Amendments: N.J.A.C. 6A:16**

Kathleen Ehling, Acting Assistant Commissioner
New Jersey Department of Education
100 River View Plaza
PO Box 500
Trenton, New Jersey 08625-0500

March 12, 2021

Dear Acting Assistant Commissioner Ehling:

Thank you for the opportunity to comment on the proposed amendments on the Programs to Support Student Development State Code on behalf of the SPAN Parent Advocacy Network (SPAN). SPAN is NJ's federally designated Parent Training and Information Center and houses the NJ Affiliate Organization for Family Voices, the Family-to-Family Health Information Center, and the State Organization of the National Federation of Families for Children's Mental Health, and is represented on the State Special Education Advisory Council. Our comments on the proposed amendments to the NJ Special Education Administrative Code are based on the thousands of parents we assist each year to understand their rights and advocate on behalf of their children and youth with disabilities in the special education and other systems. We thank you for the opportunity to comment on the proposed amendments.

6A:16-1.3 Definitions

We strongly agree with adding MTSS (Multi-Tiered Systems of Supports). MTSS provides targeted intervention to students based on need. Our START EPSD project focusses on this as one of our four main topic areas. We also agree with changing "foster" to "resource" parent in keeping with current state terminology. We also agree with the addition of RTI (Response to Intervention) for prevention. We caution however that RTI must be used appropriately, as some districts have used it to delay necessary classification, and in other instances, children of color have received less intervention over less time before being referred for special education.

6A:16-5.3 Incident reporting of violence, vandalism, and alcohol and other drug abuse

We strongly agree with changing "the disabled" to "students with disabilities". This is in keeping with people first language, which will facilitate person-centered planning.

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6A:16-7.1 Code of student conduct

We strongly agree with restricting suspension/expulsion in grades k-2, and also encourage the Department to strongly discourage the use of out-of-school suspensions/expulsions for all students. Further, we strongly encourage the Department to add language prohibiting or restricting the use of restraints and seclusion. Positive behavioral interventions and supports are more effective at creating student success.

We also agree with changing "alcohol/drug abuse" to "substance use disorder" in keeping with current mental health terminology.

Miscellaneous

We did not see any substantive changes to school health or homebound instruction, however, we remain concerned with overuse of homebound instruction for behavioral issues.

We support the continued requirement for every district to have an Intervention and Referral Services team.

Thank you again for the opportunity to comment on the proposed amendments to Programs to Support Student Development. We look forward to our continued collaboration on education issues in NJ.

Sincerely,



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To empower families and inform and involve professionals and other individuals interested in the healthy development and education of children, to enable all children to become fully participating and contributing members of our communities and society.