

PUBLIC NOTICE

EDUCATION

STATE BOARD OF EDUCATION

Notice of Receipt and Action of Petition for Rulemaking

School District Operations

Access to Student Records

N.J.A.C. 6A:32-7.5

Petitioner: Jordan Carroll.

Take notice that on February 8, 2018, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the above petitioner requesting the State Board of Education amend N.J.A.C. 6A:32 to require the child study team of the district of residence to continue to be responsible for case management of a student who is placed in a group home that is located in another school district and who requires an out-of-district placement.

The petitioner specifically requests for the State Board to amend N.J.A.C. 6A:32-7.5(f) to switch the responsibility to a student's district of residence at the time of placement in a group home rather than the current requirement for the child study team of the school district in which the group home is located to take responsibility for the student's case management. The petitioner stated students in a group home often need to be placed in an out-of-district placement. The petitioner also stated the current process places an undue burden on the child study team of the school district in which a group home is located because the school district is responsible for assigning a case manager to make arrangements for an out-of-district placement and then the school of placement bills the school district in which the group home is located, which charges the original district of residence for the cost of the out-of-district placement.

The petitioner stated there often is considerable wait time between a student's placement in a group home and when services are set up by the school district in which the group home is

located, during which time the student is not being educated. The petitioner also stated requiring the district of residence to retain case management responsibility would ensure a smoother transition for students and would make payments to the out-of-district school more timely and sensible.

The petitioner suggested responsibility for case management could revert to the school district in which the group home is located if a general education setting is the appropriate placement for a student.

N.J.A.C. 6A:32-7.5(f) states “[n]othing in this section shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.”

N.J.A.C. 6A:32-7.5(f) does not govern case management responsibilities for students placed in group homes and the Department of Education (Department) has been unable to discern what rule the petitioner is requesting to amend.

Therefore, the petitioner’s request is denied.