



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

March 12, 2012

TO: Chief School Administrator
Director of Special Education
Administrator of a State Facility
Administrator of a Charter School
Administrator of an Approved Private School for the Disabled
Administrator of a College-Operated Program
Statewide Special Education Advisory Council
Agencies or Organizations Concerned with Special Education

FROM: Peggy McDonald, Director *Peggy McDonald*
Office of Special Education

SUBJECT: Children Placed in Resource Family Homes

I am writing to provide technical assistance regarding the provision of special education and related services to children placed in resource family homes. In September 2010, Title 18A and Title 30 of the New Jersey Statutes were amended to ensure state compliance with the federal Fostering Connections to Success and Increasing Adoptions Act, which required that all states ensure educational stability for children placed in resource family homes. To assist districts in understanding their responsibility as it relates to children with disabilities placed in resource family homes, I am issuing the following guidance.

In accordance with guidance issued by this department in conjunction with the Department of Children and Families on November 5, 2010, the Educational Stability Law defines the district of residence for a child placed in a resource family home as the district where the child's parent or guardian resides, regardless of where the child is residing. Further, as stated in the guidance, the district of residence is responsible for paying tuition for a child attending school in another district and for providing transportation, as needed. Similarly, the Department of Education has determined that it is the district of residence that is responsible for ensuring that children with special needs placed in resource family homes receive a free, appropriate public education (FAPE), regardless of the district in which the child attends school. Attendant to this responsibility is the obligation to ensure the provision of necessary child study team and case management services, either by providing them itself or by arranging with the district where the student attends school to do so. The department encourages districts to work collaboratively to determine the most efficient mechanism for ensuring children in resource family homes receive the special education and related services to which they are entitled.

If you have any questions regarding the implementation of these provisions, please contact Kathy Ehling with the Office of Special Education at 609-292-7602.

PM/JW/KE

c: Members, State Board of Education
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