



Guidance for Military Families with Students in Special Education

New Jersey Department of Education
Office of Special Education

Table of Contents

01 Introduction and MIC3

02 Timeframes and Tips

03 Military Support Specialist

04 FAQs

05 Resources



Introduction

Mission: Providing educators, families, and other stakeholders with the technical assistance, professional learning in evidence-based practices, and access to instructional materials and resources necessary for students with IEPs to achieve the goals established for all New Jersey students.

Vision: To empower all educators, families, and other stakeholders with the knowledge, skills, and resources necessary to ensure that individuals with IEPs graduate into competitive, integrated employment, postsecondary education, and active community involvement.

New Jersey is home to more than 8,000 school-aged students of military families, of which more than 1,500 are identified as students with disabilities. The New Jersey Department of Education (NJDOE) understands the hardships often associated with the frequent moves and transitions within our military community. These moves can become even more stressful when military families have children in need of special education. The NJDOE, Office of Special Education (OSE) strives to make these transitions as smooth as possible by ensuring that all families have the tools and resources that they may need. OSE works in collaboration with local education agencies (LEAs) and military school liaisons to assist in this endeavor.

Military Interstate Children's Compact Commission (MIC3)

New Jersey adopted the MIC3 with modifications as part of its statutory requirements. With this legislation, the NJDOE joined the other 49 states in helping to ease the interstate educational transition challenges faced by students of military families.

MIC3 addresses educational records, health records, special education services, and more to safeguard the rights of our military community as they relocate to NJ.

Key components include:

- **Unofficial Records:** Upon receipt of unofficial records from families, the receiving LEA shall enroll and appropriately place the student based on the information from unofficial records, pending validation by the official records as quickly as possible.
- **Immunizations:** In the event additional immunizations are required from the receiving state, students will have 30 days to obtain all required immunizations.



- **Educational Program Placement:** The receiving state school shall initially honor the placement of a student in an educational program such as multilingual learners or gifted and talented learners. This does not preclude the receiving state school from performing subsequent evaluations to ensure an appropriate placement.
- **Special Education Services:** The receiving state school shall immediately provide comparable services for all students with disabilities based on his or her current Individualized Education Program (IEP) and in compliance with the requirements of Section 504 of the Rehabilitation Act. This does not preclude the receiving state school from performing subsequent evaluations to ensure an appropriate placement.
- **Custody and Transfer Students:** A military child, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he or she was enrolled while residing with the custodial parent, while in the process of a military Permanent Change of Station (PCS).

New Jersey Special Education Timeframes

The [New Jersey Special Education Administrative Code](#), N.J.A.C. 6A:14, codifies the requirements as set forth under the [Individuals with Disabilities Education Act \(IDEA\)](#). N.J.A.C. 6A:14 provides some additional protections that are not required under the IDEA.

These additional protections include:

- There is a 15-day time period for the provision of written notice of any proposed changes related to the identification, referral, evaluation, or placement of a student with disabilities.
- There is a requirement of parental consent to excuse a required member of the IEP team within a reasonable time period.
- There is a 90-day period established to complete an initial evaluation and begin services, if eligible.
- LEAs must provide parents with copies of evaluations at least 10 days prior to a meeting to determine eligibility.
- There is a 15-day period for a parent to review any changes to an IEP without a meeting.
- There is a 60-day time period for completing all re-evaluations.

TIPS for Families when Relocating

Various resources are offered to military families both from the Department of Defense and through the NJDOE. Utilizing resources such as your local Exceptional Family Military Program (EFMP) at your losing and receiving base can help ensure you can access services near your new home. In addition, programs such as [Military One Source](#) are great tools to make the transition as smooth as possible.



Preparing for Relocation

Three to Six Months Before the Move

- Reach out to your current School Liaison to obtain contact information for the gaining base School Liaison.
- Notify your current Child Study Team (CST) of the upcoming move and request copies of school records.

One to Two Months Before the Move

- If you know which LEA you plan to live in, contact the LEA and speak with the CST about your child.
- Ensure the new LEA has a copy of the latest evaluations and IEP.

As you Leave your Current Duty Station

- Hand-carry copies of evaluations and IEPs.
- Ensure accurate contact information for the losing LEA.
- Ensure the losing LEA has accurate contact information for the gaining LEA.

As you Arrive at your New Duty Station

- Hand-carry copies of evaluations and IEPs to the new LEA and enroll your child.
- Sign appropriate releases so that both LEAs can communicate about your child's needs.
- Connect with the new EFMP office and School Liaison.

New Jersey Military Support Specialist

The NJDOE recognizes the unique challenges faced by our military families and has established a position within our department to help meet these unique needs. Our Military Support Specialist will collaborate directly with School Liaisons, EFMP offices, and the New Jersey Statewide Parent Advocacy Network (SPAN) to help ensure that we provide for and meet the needs of students from military families.

In addition, the NJDOE will also:

- Identify ways to ensure that state and district policies align with MIC3 components.
- Provide professional development opportunities to educators and staff at all levels to recognize and respond to the needs of highly mobile children.



Frequently Asked Questions

1

What happens if we move to a new school/state and my child is in the process of undergoing an evaluation?

Under the regulations set forth by the IDEA, evaluations should be completed within 60 days of obtaining parental consent. If a child transfers to a new school in the middle of an evaluation, both LEAs must coordinate to ensure the completion of the evaluation. The relevant timelines still apply, unless the parent and LEA agree to a specific time.

2

How long do schools have to review my child's IEP or re-evaluate if necessary after we move to the new school?

In New Jersey, the CST must conduct an immediate review of the current IEP and evaluations and implement comparable services without delay. Any appropriate assessments that are deemed necessary must be completed, along with the implementation of a new IEP, if needed, within 30 days.

3

What happens if the LEA does not have the programming that my child needs?

Immediately upon enrollment, the LEA must implement comparable services as written in the current IEP. Additionally, each LEA must offer a full continuum of services to ensure students are educated in the least restrictive environment possible, including potential alternative placement options.



4

What happens if I disagree with a decision made by the school concerning the evaluation or educational placement of my child?

Most disagreements can be resolved through communication with the IEP team. When that is not possible, dispute resolution options are available.

Voluntary Mediation

Mediation is a way to resolve disagreements between parents and the LEA with the help of a trained mediator. More information on the mediation process can be found in the [New Jersey Parents Rights in Special Education \(PRISE\) booklet](#). A copy can be found on the OSE website. You can also request a copy from your LEA.

Due Process Hearing

This is a legal process in which an Administrative Law Judge decides the resolution of a disagreement between yourself and the LEA. A full description of your rights and safeguards as a parent can be found in our NJ PRISE booklet.

5

Can I observe the placement options being considered by the Child Study Team before my child attends?

Yes, New Jersey special education code affords parents the right to view any placement (to include the general education setting) prior to the implementation of any new IEP.

6

How can I become active in the special education program at my child's school?

Each LEA shall create a parent advisory group to provide input to the LEA concerning issues on students with disabilities. Reach out to your child's case manager for information on how to join.

7

In addition to academic support, what other supports can I find in NJ for my student with a disability?

The [Office of Special Education Website](#) provides resources for families with students with disabilities. This includes information on other state agencies, transition toolkits, and information on preschool disabilities and early intervention. In addition, we recommend that you reach out to your local EFMP office for information on potential respite care as well as other military and state-based resources available to you.

Resources for Families

PRISE- Parental Rights in Special Education Handbook

Military One Source- This is a Department of Defense resource provided for families. It is a service provided to families to assist with the unique needs of the military family.

SPAN- Information on the statewide parent advocacy network in NJ.

EFMP Preparing For Your Move- Checklists and information on preparing

NJDOE OSE Website- Resources and information families.

CONTACT US

Office of Special Education
609-376-9060
OSEinfo@doe.nj.gov

