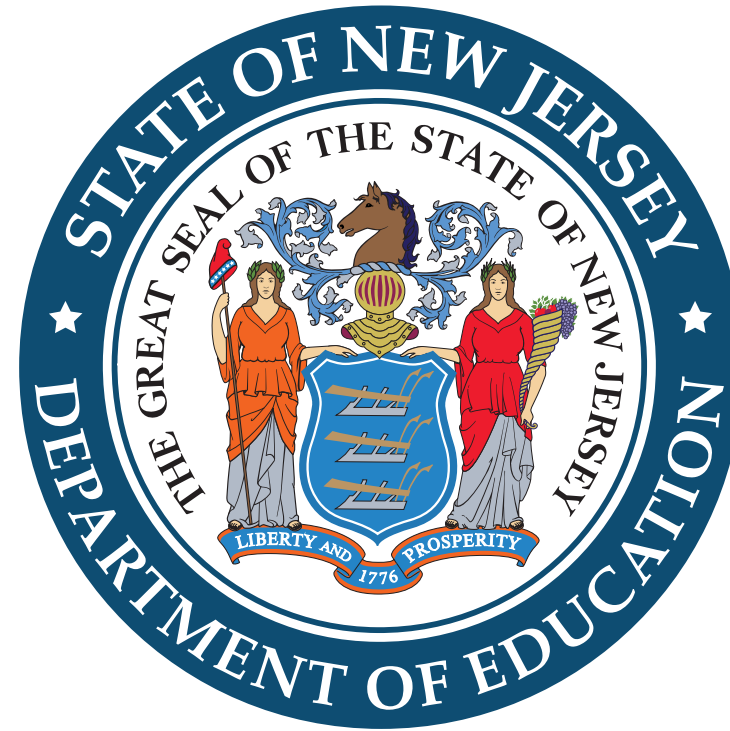




New Jersey Department of Education

Lunch and Learn with the Special Education Ombudsman



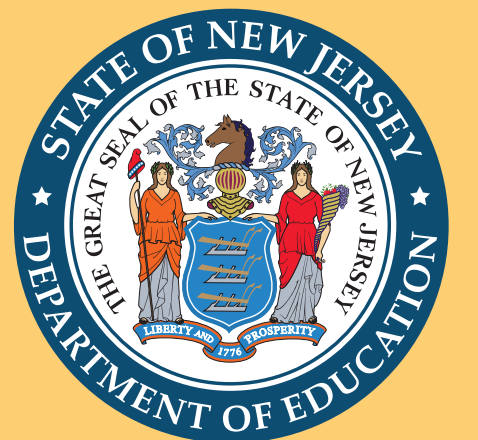


Lunch and Learn

Connecting Families, Schools and the Office of Special Education

Tracy Gillespie
Special Education Ombudsman

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Role of the Special Education Ombudsman & the Office of Special Education (OSE)

The Special Education Ombudsman is part of the New Jersey Department of Education, Office of Special Education, and was created by State law in 2016 (P.L.2015, c.219; N.J.S.A. 18A:46-2.4 et seq.). The law requires the Commissioner of Education appoint an Ombudsman to help families, students, and schools understand and work through questions or concerns about special education programs and services. The Ombudsman prepares an annual report for the Commissioner of Education, State Board of Education and the Governor's Office to summarize the work of the office and highlight ways to strengthen special education in New Jersey. To access the Ombudsman Reports, click [here](#).



Purpose of Today

- Strengthen collaboration between SEPAGs and the OSE.
- Share tools and resources to help families navigate the special education process.
- Explore ways to resolve concerns early and constructively.



Your Child's Education: Understanding Special Services

Foundations of Special Education

These three core principles ensure your child receives the support they need to learn and thrive:

Free Appropriate Public Education (FAPE):

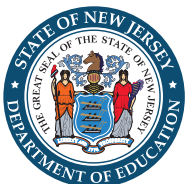
The Individuals with Disabilities Education Act (IDEA) guarantees that every child with a disability can receive special education and related services that are provided at public expense (free to you) and meet a student's unique educational needs.

Individualized Education Program (IEP):

Personalized written plan created by the IEP team (including the parent) that details specific educational goals, services, accommodations and/or modifications.

Least Restrictive Environment (LRE):

Your child is included in the general education setting, alongside their nondisabled peers, to the maximum extent appropriate.

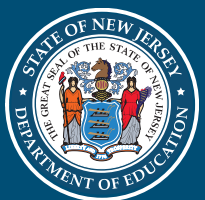


Designed for Progress, Not Perfection!



The goal of special education is to help your child make meaningful, measurable progress based on their own abilities and IEP goals.

Every step forward is a victory!



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Know Your Rights: Partnering in Your Child's Education

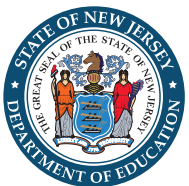
Right to Participate in ALL IEP Decisions

Access to Student Records

Written Notice Prior to Changes

Right to an Independent Educational Evaluation (IEE)

Procedural Safeguards





Partnering for Success: Working with the District

Effective Strategies for Collaboration

**Start with
Communication
(Teacher, Case
Manager, CST)**

**Parents May
Request an IEP
Meeting in
Writing at Any
Time**

**Bring Data to
Support
Concerns**

**Use Clarifying
Questions, Focus
on Student Needs**

**Follow Up in
Writing to Confirm
Agreements/Next
Steps**



Avoiding Escalation: Keeping Communication Productive

Strategies for Peaceful Problem-Solving



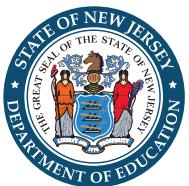
Communicate Early and Often.



Use IEP Meetings, Facilitated IEP (FIEP), or Mediation Before Due Process.



Document Concerns and Focus on Solutions.



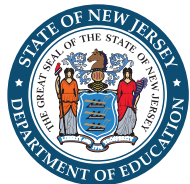
Facilitated IEP (FIEP) Meetings: A tool used to keep an IEP meeting focused and productive.

Key Feature	Description
Neutral Guide	A trained, neutral facilitator, provided by the state, is present to guide the IEP meeting process.
Focus on the Student	The facilitator manages communication and conflict to ensure the discussion stays focused on the student's needs and IEP goals, not on personal disagreements.
Builds Trust	By maintaining an orderly, respectful, and focused environment, the process helps build trust and collaboration between the parent and the school team.
Participation is Voluntary	FIEP is requested by either the parent or the district, but both parties must agree to participate in order for the facilitation to be scheduled.



Mediation: A voluntary, confidential, and free service designed to help parents and the school district work together to find common ground.

Key Feature	Description
Voluntary Process	Both the parent and the school district must agree to participate. It cannot be used to delay or deny a parent’s right to a due process hearing.
Neutral Third Party	A trained, impartial mediator guides the discussion. The mediator does not take sides and does not make a decision.
Helps Resolve Disagreements	Focuses on communication and creative problem-solving to help the parties reach a mutually acceptable agreement.
Common Use Cases	Often used for disputes over: IEP development, service frequency/type, placement or program decisions.
The Outcome	If successful, the agreement is put in writing and is a legally binding contract that the school district must follow.



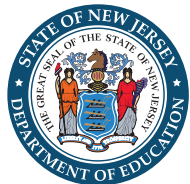
Due Process Hearings: A formal, legal proceeding used when parents and the school district cannot agree on critical special education matters.

Key Feature	Description
Formal & Legal	An administrative hearing conducted by an Administrative Law Judge (ALJ).
Dispute	Used when there is a disagreement regarding identification, evaluation, reevaluation, classification, educational placement, the provision of FAPE or disciplinary action.
Binding Decision	The ALJ reviews the evidence and issues a legally binding decision.
Last Resort	Due Process is generally considered a last resort when all other attempts at resolution (communication, mediation, etc.) have failed.
Legal Representation	A school district will be represented in a due process hearing. Parents have the option to go without representation to a due process hearing.



State Complaint Investigation: A formal procedure used when a parent or organization believes the school district has not followed special education law.

Key Feature	Description
Violation of Law	Alleges that the district has violated a specific special education law or regulation (e.g., failed to implement the IEP, missed a required timeline, did not hold a required meeting).
Who Can File	Can be filed by any individual, including parents or organizations (advocacy groups, etc.) against the public agency.
Early Resolution/ Mediation	A ten-day period, an opportunity for an early resolution, is allowed for the parties to resolve the issues in the complaint before an investigation begins. Mediation is also an option at no cost to the parties. The goal is to work together to agree on what is in the best interest of the student.
Investigation	The OSE investigates the complaint, reviews documents, and conducts interviews with parties.
Timeline	The complaint must be investigated and resolved within 60 calendar days of the state receiving it.



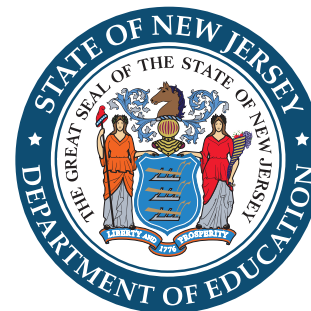
Questions & Discussion

- What support, resources, or training would be most useful for your SEPAG or parent group in the next year?
- How can the Office of Special Education be more connected to your district and its families throughout the school year?



Thank You

Tracy Gillespie
Special Education Ombudsman
Tracy.Gillespie@doe.nj.gov



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