

Broder Law Group, P.C. will keep you up to date on legal issues affecting special education.

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**Do you have confidence in your child's IEP? Broder Law Group offers a primer on the process.**

## Study: New Jersey makes slow progress on inclusion of special education students

New Jersey ranks first in the country when it comes to the percentage of special needs students placed in the most restrictive settings, and more federal money to share the \$3.3 billion annual cost of special education could turn that statistic around. Those are among the conclusions of a recently released report that is receiving blow-by-blow scrutiny around the state.

The New Jersey School Boards Association, which commissioned the year-long analysis, is studying 14 recommendations for change.

Among the most discouraging findings: The percentage of special needs students who joined their general ed peers for more than 80 percent of the day hardly budged in the decade leading up to 2005.

New Jersey was found to have the

highest percentage of students in the most restrictive settings -- 9.9 percent of its special needs population.

The NJSBA said more federal money should follow the federal laws that govern special education, so local school districts don't continue shouldering 57 percent of the costs. The report says some 10 percent of students are placed out of their public school district -- and the price accounts for 40 percent of the total cost of special education.

Parents can urge their local representatives to attend a special workshop Oct. 25 in Atlantic City where board members will study the report and its recommendations.

A full breakdown of the report's many components is available on [NJSBA's website](#).

## Supreme Court tie leaves questions for most of the U.S.

A split decision by the U.S. Supreme Court falls in favor of parents in a few New England states who want public school reimbursement for private school services given to their special needs children. But without more resounding support from the Court, it has no bearing on similar situations elsewhere in the country.

The Court issued a 4-4 decision Wednesday in the case of Gilbert F., as he was identified, who attended a private school paid for by his

public district in New York. When the district established a program it thought would meet Gilbert's needs, the reimbursements stopped.

His parents objected to that Individualized Education Program and eventually won when a Circuit Court ruled that children shouldn't have to start a public school program that doesn't meet their needs just to qualify for district-paid private programs that do.

**Bloomberg news service has a complete report on the ruling.**