



STATE OF NEW JERSEY

DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: January 8, 2025
To: Local Educational Agency Leads, Directors of Approved Private Schools for Students with Disabilities
Route To: Directors of Special Education
From: Kathy Ehling, Assistant Commissioner
Division of Educational Services

Notice of Changes to the Procedures for Due Process Hearing Requests

This memorandum outlines important updates to the procedures for filing due process hearing requests with the New Jersey Department of Education (NJDOE), Office of Special Education (OSE). The federal District Court of New Jersey appointed a compliance monitor on April 11, 2024 for the purpose of implementing a [Consent Order and Settlement Agreement](#). These changes are being implemented in response to [recommendations](#) from the court-appointed monitor regarding these settlement activities. Effective January 15, 2025, the OSE will adopt the following updates to the current due process procedures.

When a district board of education files a request for a due process hearing, the matter will be immediately transmitted to the Office of Administrative Law (OAL) for a due process hearing. If the parties wish to participate in mediation, they must notify the OAL. This immediate transmittal for due process requests filed by district boards of education will take effect on January 15, 2025.

Additionally, the OSE will provide contemporaneous notice to the OAL upon the filing of each request for a due process hearing. This advance notification will precede the formal transmittal and alert the OAL of new cases. Upon receipt of this notice, the OAL will open the case file and begin tracking all associated timelines. The contemporaneous notice requirement will also take effect on January 15, 2025.

For any questions, please contact the Office of Special Education at (609) 376-9060 or via email at OSEinfo@doe.nj.gov.

c: Members, State Board of Education
NJDOE Staff
Statewide Parent Advocacy Network
Garden State Coalition of Schools
NJ LEE Group