

**Suggested Processing of 407-1 Forms  
For Chapter 192 & 193 Services for Nonpublic Students**

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This document is designed as a useful reference tool for districts and providers, and is not intended as a substitute for review of and compliance with the comprehensive guidance found on the New Jersey Department of Education’s (NJDOE) [Nonpublic School Services website](#). For detailed information, providers and districts should refer to the more comprehensive guidance or contact the [Office of Nonpublic School Services](#).

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**General Eligibility Criteria for 192/193 Services**

To be eligible for 192/193 services, a student must be:

1. Between the ages of 5 and 21
  - a. In grades K-12
  - b. Kindergarten students must meet the age requirements of the school district in which the nonpublic school is located
2. Enrolled full time in a nonpublic school
3. Attending a nonpublic school that is registered with the State of New Jersey
4. A resident of New Jersey, except for the following services for which non-New Jersey resident students are eligible:
  - a. Chapter 193 Evaluation & Determination of Eligibility for Services
  - b. Chapter 193 Speech Evaluation

**Services for Non-New Jersey Residents**

Non-New Jersey residents are eligible for Chapter 193 Evaluation & Determination of Eligibility for Services, including Speech-only Evaluation, as follows:

1. Initial evaluation – First time student is evaluated
2. Speech-only evaluation – This evaluation type is indicated when the nonresident student requires speech-language evaluation *only* (no other evaluation is being requested or provided)

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3. Annual review – Yearly with exception of years when a reevaluation is done; cannot be conducted more often unless parent and district agree it is warranted
4. Reevaluation – Every three years from date of initial review or last reevaluation; cannot be conducted less than one year from date of most recent evaluation unless parent and district agree it is warranted

### General Processing Steps

A new student application for services (407-1 form) for each student must be completed and submitted *each year* before services can be provided. Therefore, student/service files and the tracking process should be started anew each school year.

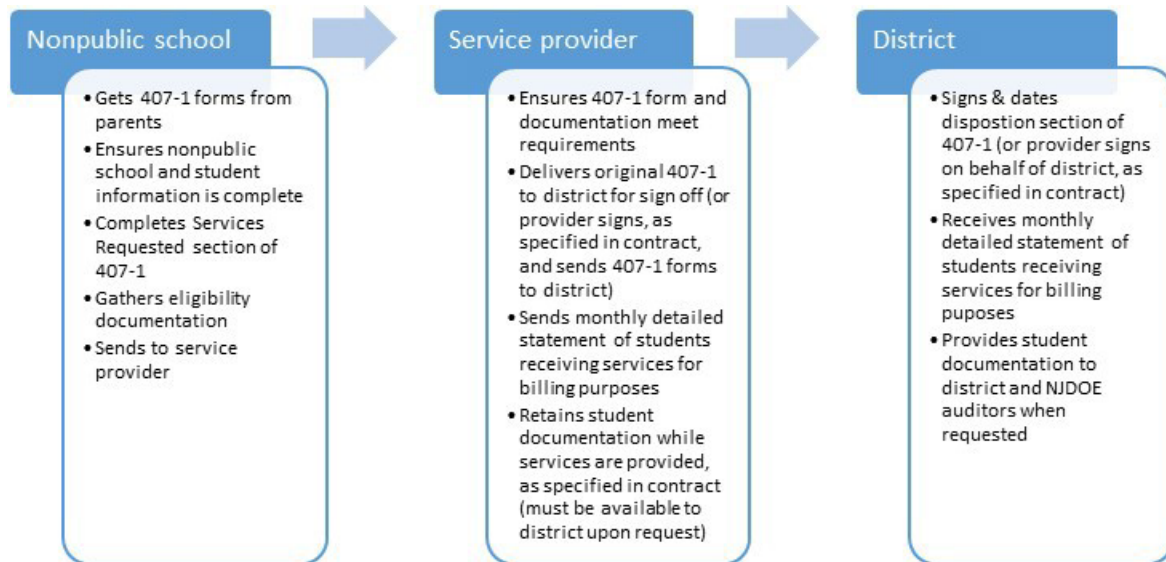
A separate 407-1 must be filled out for each type of service requested.

School districts retain complete responsibility for administering and overseeing the Chapter 192/193 program and ensuring students receive the appropriate services, pursuant to *N.J.S.A. 18A:46A-1 et seq.*, *N.J.S.A. 18A:46-19.1 et seq.* and *N.J.A.C. 6A:14-6.2 et seq.*, regardless of whether they contract with a third-party provider or provide the services directly.

The suggested process described in this document assumes the school district is contracting with a service provider to process 407-1 forms and related documentation and provide Chapter 192/193 services to nonpublic school students. Alternatively, the school district may choose to perform all or some of the administrative functions and/or provide the student services directly; in this case, the school district will perform some or all of the functions of both provider and school district described herein. Each service provider and school district may have its own processes; providers and school districts should work together on the processes they will use to facilitate communication, 407-1 processing and timely service delivery to students.

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Figure 1: School districts that use a third party provider to process 407-1 forms and deliver services



### Nonpublic school processes

The nonpublic school should transmit the bulk of the signed student applications and eligibility documentation to either the local school district or service provider (according to the instructions from the school district) no later than June 30<sup>1</sup> for services in the upcoming school year. Any applications received after this date should be sent to the school district/provider as soon as possible. A separate application must be provided for each service. Student applications cannot include requests for multiple services.

### Service provider processes

The provider receives the 407-1 forms and supporting documentation from the nonpublic schools. The provider should check that all information and documentation have been provided, and determine if documentation meets the criteria. The provider may choose to use the [407-1 Eligibility Documentation Checklist](#) as part of the documentation review process.

The school district may give the provider authority to sign the disposition section of the 407-1 form. The authority given should be detailed in the contract between the school district and third-party provider. Providers that sign off on 407-1 forms should do so *within five working days* after receipt from the nonpublic school so that services can be provided promptly. In the event that funding is not available and a request for additional funding is necessary (see the “ADDL” link on the [NJDOE Homeroom webpage](#)), providers must wait until school districts confirm available funding before signing off on the 407-1 forms and providing the services.<sup>1</sup>

The provider should send the school district a monthly detailed statement of the students receiving

<sup>1</sup> Please note that sign off on 407-1 forms may be delayed when additional funds are requested for the student, since such payments are made by the NJDOE on a monthly basis. Refer to the [recommended timeline](#).

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services for billing purposes.

### School district processes

As noted above, the school district will determine if the provider has the authority to sign the disposition section of the 407-1 form in lieu of the school district. The authority given should be detailed in the contract between the school district and third-party provider. If the school district signs off on the forms, it should do so *within five working days* after receipt<sup>2</sup>, except in cases when additional funding is requested, as noted above. In the event that funding is not available and a request for additional funding is necessary, school districts must confirm available funding before signing off on the 407-1 forms and authorizing providers to begin providing services.

The school district should receive the original 407-1 forms and a detailed statement of students receiving services before making payment for services to the provider. The NJDOE's Office of Nonpublic Services has created a [192/193 tracking spreadsheet](#) that school districts may use to keep track of each nonpublic student and service, including documentation provided, service dates, and vendor billing dates.

For record-keeping and audit purposes, the school district is responsible for maintaining and providing for the security of all records of nonpublic school students receiving services in accordance with *N.J.A.C. 6A:32-7.1 et seq.* If the school district contracts with a service provider, the service provider may retain student records as specified in the contract with the school district while services are being provided. The Chapter 192/193 original student records must be returned to the school district when the programs are terminated and the student is no longer eligible for services. In addition, the school district must provide all the student documentation (either hard copy or electronic) to the auditor when requested.

### Special Processing Steps

#### All Chapter 193 services

Nonpublic students receiving 193 services must be entered into the school district's student management system the same way district-enrolled students are entered. In compliance with federal and state reporting requirements, students receiving 193 services must be entered into the NJDOE's NJSMART data system.

#### Chapter 193 Evaluation and Determination of Eligibility for Services

New Jersey Administrative Code states that specific timing requirements be met in serving students under Chapter 193 evaluation and determination of eligibility for services (E&D), as follows:

- **Initial Evaluation:** *The child study team shall meet within 20 days of the receipt of the 407-1 to determine whether an initial evaluation is needed. After parental consent for initial evaluation has been received, the evaluation, determination of eligibility for services and, if eligible, development and implementation of the service plan (similar to IEP for nonpublic students) for*

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<sup>2</sup> Districts with more than 10,000 nonpublic students receiving services may use a more flexible processing timeline so long as it does not cause undue delay in the delivery of services to students.

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the student shall be completed within 90 calendar days.

- **Reevaluation:** Reevaluation shall be completed within 60 days of the date the parent provides consent for the assessments to be conducted as part of the reevaluation, or before three years from the completion of the prior evaluation or reevaluation, whichever occurs sooner.

### Chapter 193 Supplemental Instruction

If the student is evaluated by a child study team and found eligible for supplemental instruction, a separate 407-1 form with the required service plan documentation (electronic access or hard copy of program description and related services pages) must be provided for the student to receive services. Given the need to begin supplemental instruction shortly after evaluation, the 407-1 for supplemental instruction must be approved quickly.

### Chapter 193 Speech – Language Evaluation or Services

The 407-1 application form is for the parent/guardian to request speech-language evaluation *or* services for his/her child, *when the student requires speech-language evaluation or services only* (no other 193 evaluation or services are being requested or provided).

If a student is evaluated and found eligible for speech-language *services*, a separate 407-1 with the required service plan documentation must be provided for the student to receive services; however, if the provider evaluates for speech *and* the student is found eligible for services, the **provider may bill for either the evaluation or the service, not both**. (Funding is provided to the district for either the speech evaluation or the services.)

### Student Records

The school district must maintain and provide for the security of the Chapter 192/193 records of nonpublic school students receiving services in accordance with New Jersey records retention policy *N.J.A.C. 6A:32-7.1 et seq.* Records should be retained for seven years as specified in New Jersey's records retention policy. If the public school district contracts with a service provider, the service provider may retain student records while services are being provided. The district must maintain the original 407-1 forms, but all other files for the students may be maintained at the service provider until nonpublic services have been terminated. At that time, all files must be sent to the public districts. The provider should retain a copy of the cover page of the student's service plan (SP) and 407-1 form for record-keeping purposes. Regardless of the agency maintaining student records, they must be made accessible to auditors.

### Requesting Additional 192/193 Funding

Districts may request additional funding when the present funding level is insufficient to provide services for the additional students identified. The district can use the [192/193 tracking spreadsheet](#) to determine if the number of services approved exceeds the number of services funded for the year, as submitted by the district in the *Report of Nonpublic Auxiliary and Handicapped Services*. If the number of services exceeds the approved amount, the district needs to request additional funding. For more information, see "CH192/193 - Report of Nonpublic Auxiliary and Handicapped Services" link in the [NJDOE Homeroom](#) website.