

New Jersey Department of Education

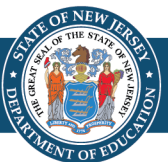


Chapter 14, Special Education

Office of Special Education

Division of Educational Services

June 7, 2023





Chapter 14



- This chapter sets forth the rules and regulations for providing students with disabilities a free, appropriate, public education.
- The Department is proposing two limited amendments to ensure students continue to receive all the services to which they are entitled.





Current Language



N.J.A.C. 6A:14-3.9(a)(4)

4. ... and physical therapy may be provided by therapy assistants **under the direction** of the certified and, where required, licensed therapist in accordance with all applicable State statutes and rules.

N.J.A.C. 6A:5.1(c)(1)(iii)(2)

iii. Related services;

(2) Physical therapy assistants shall work in the **presence and under the supervision** of a certified physical therapist.

Proposed Amendments N.J.A.C. 6A:14-3.9(a)(4)

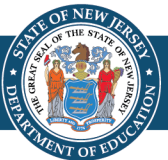


Current Language

4. ... and physical therapy may be provided by therapy assistants under the direction of the certified and, where required, licensed therapist in accordance with all applicable State statutes and rules.

Proposed Language

4. ...and physical therapy may be provided by therapy assistants under the [direction] **supervision** of the certified, and, were required, licensed therapist in accordance with all applicable State statutes and rules .





Current Language

iii. Related services;

(2) Physical therapy assistants shall work in the presence and under the supervision of a certified physical therapist.

Proposed Language

iii. Related services;

(2) Physical therapy assistants shall work [in the presence and] under the supervision of a certified physical therapist.



Proposed Amendments N.J.A.C. 6A:14-3.9



Adding new language that will allow school districts to provide students with disabilities the related services required by their IEPs through virtual or remote platforms in limited circumstances:

- The student is unable to attend school because of a temporary or chronic medical condition.
- The student is unable to attend school because the student's school building or district is closed pursuant to N.J.S.A. 18A:7F-9 and the school district has implemented its program of virtual or remote instruction.



Considerations



- Regulations would permit, not require, related services to be provided virtually. Families and LEAs would need to determine it would be best for the student.
- The flexibility to provide related services virtually when a student is unable to attend school in-person due to a temporary or chronic medical condition will ensure continuity of services, prevent regression and allow the student to make progress toward goals and objectives in the IEP.



Thank You!



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