



New Jersey Department of Education

Special Education Ombudsman  
Annual Report to the State Board of Education  
July 1, 2024 through June 30, 2025

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Special Education Ombudsman Report

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## Background

The Special Education Ombudsman was created in 2016 pursuant to N.J.S.A. 18A:46-2.4. The Ombudsman serves as a neutral resource to provide information and support to parents/caregivers, advocates, educators, and students with disabilities regarding special education rights and services. In addition to this role, the statute requires the Special Education Ombudsman to make an annual report to the State Board of Education and the Commissioner of Education that includes a summary of the services the Special Education Ombudsman provided during the year, along with recommendations concerning the state's implementation of special education procedures and services. This document serves that function for Fiscal Year 2025, covering the period from July 1, 2024 through June 30, 2025.

## Role and Responsibilities

The duties of the Special Education Ombudsman, as set forth in the statute, include the following:

- Serve as a source of information for parents, students, educators, and interested members of the public to help them better understand State and federal laws and regulations governing special education;
- Provide information and support to parents of students with disabilities in navigating and understanding the process for obtaining special education evaluations and services;
- Provide information and communication strategies to parents and school districts for resolving a disagreement regarding the identification, evaluation, classification, placement, provision of a free, appropriate public education, or disciplinary action, of a student with a disability; and to educate parents on the available options for resolving such disputes, including due process hearings, mediation, and other alternative dispute resolution processes;
- Work neutrally and objectively with all parties to help ensure that a fair process is followed and that the special education system functions equitably and as intended;
- Identify any patterns of complaints that emerge regarding special education rights and services, and recommend strategies for improvement to the Department of Education;
- Assist the Department of Education in creating public information programs designed to acquaint and educate parents and the public about the ombudsman's duties; and
- Serve as a resource for disability-related information and referrals to other available programs and services for individuals with disabilities, including early intervention and transition to adult life.

## Key Terms and Acronyms

**Approved Private School for Students with Disabilities (APSSD)** – incorporated entity approved by the Department of Education to provide special education and related services to students with disabilities placed by the district board of education responsible for providing their education.

**Child Study Team (CST)** - A multidisciplinary group of professionals, consisting of a school psychologist, a school social worker, a learning disability teacher-consultant, and often a speech-language specialist, dedicated to identifying and helping students with special needs.

**Classification** – A determination of whether a child is eligible for special education and related services.

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**Complaint Investigation** - A complaint is an allegation that a local education agency has violated federal or state special education law. A complaint may be initiated on behalf of an individual child or on behalf of a group of children. A complaint may be filed with the New Jersey Department of Education for an independent review of the alleged violation(s).

**Due Process Hearing** - A due process hearing is a legal process in which the resolution of a disagreement between a parent and the school district is decided by an administrative law judge (ALJ) from the Office of Administrative Law (OAL).

**Evaluation** - The tests and other assessment procedures, including a review of information, which are used to decide whether a child is eligible for special education services.

**Extended School Year (ESY)** - A program which may provide a student with a disability special education and related services when the school is not normally in session, for example, during summer or holiday breaks.

**Facilitated IEP meeting (FIEP)** - A program offered by the OSE where a state-sponsored, specially trained IEP facilitator assists the parties in the development of an appropriate IEP that is student-centered. This program is designed to minimize state-level procedural protections and interventions that often result from ineffective IEP meetings.

**Free, Appropriate Public Education (FAPE)** - Special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet state and federal requirements; include preschool, elementary school, or secondary school education; and are provided according to an IEP.

**Identification** - The decision to evaluate a child to determine whether special education services are needed.

**Individuals with Disabilities Education Act (IDEA)** – The statute enacted by the United States Congress which ensures that students with disabilities are provided a free appropriate public education.

**Individualized Education Program (IEP)** - A written plan which sets forth present levels of academic achievement and functional performance, measurable annual goals and short-term objectives or benchmarks and describes an integrated, sequential program of individually designed instructional activities and related services necessary to achieve the stated goals and objectives. This plan shall establish the rationale for the student's educational placement, serve as the basis for program implementation and comply with the mandates set forth in applicable law and regulations.

**Least Restrictive Environment (LRE)** - To the maximum extent appropriate, children with disabilities are educated with children who are not disabled and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature and severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

**Local Education Agency (LEA)** - A school district; an entity which operates local public primary and secondary schools in the United States.

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**Mediation** – A voluntary meeting conducted by a qualified and impartial mediator, who is trained in effective dispute resolution techniques, and assists parties in reaching an agreement.

**New Jersey Department of Education (“NJDOE” or “the Department”)** – The State agency that administers State and federal aid programs affecting more than 1.4 million public and non-public elementary and secondary school children in the state of New Jersey.

**Office of Special Education** – The Office within the NJDOE that administers the special education dispute resolution system, which includes requests for Facilitated IEP meetings, due process hearings, mediation conferences, and complaint investigations. The Office coordinates the scheduling of mediation conferences.

**Parent** – The natural or adoptive parent, the legal guardian, foster parent when willing to so serve, or surrogate parent who has been appointed according to N.J.A.C. 6A:14.2.2(a) through (i), a person acting in the place of a parent (such as a grandparent or stepparent with whom the student lives or a person legally responsible for the student’s welfare). Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under this chapter. The term “parent” shall include the adult student.

**Parental Rights in Special Education (PRISE)** - a document prepared by the OSE which describes the state and federal laws affecting the provision of special education and parental rights in the special education process.

**Related Services** – Any supportive service a student with a disability needs to benefit from special education. Examples of related services include counseling; speech-language therapy (SLT); occupational therapy (OT); and physical therapy (PT). Transportation is also a related service. This list is not exhaustive.

**Special Education** – Defined in accordance with the definition of the term set forth in IDEA and its implementing regulations as well as the regulations governing special education in New Jersey, set forth at N.J.A.C. 6A:14.

**Special Education Ombudsman** – a neutral resource to provide information and support to parents/caregivers, advocates, educators, and students with disabilities regarding special education rights and services.

**Student** – A person age three through 21 who is entitled to receive educational programs and services in accordance with Federal or State law or regulation.

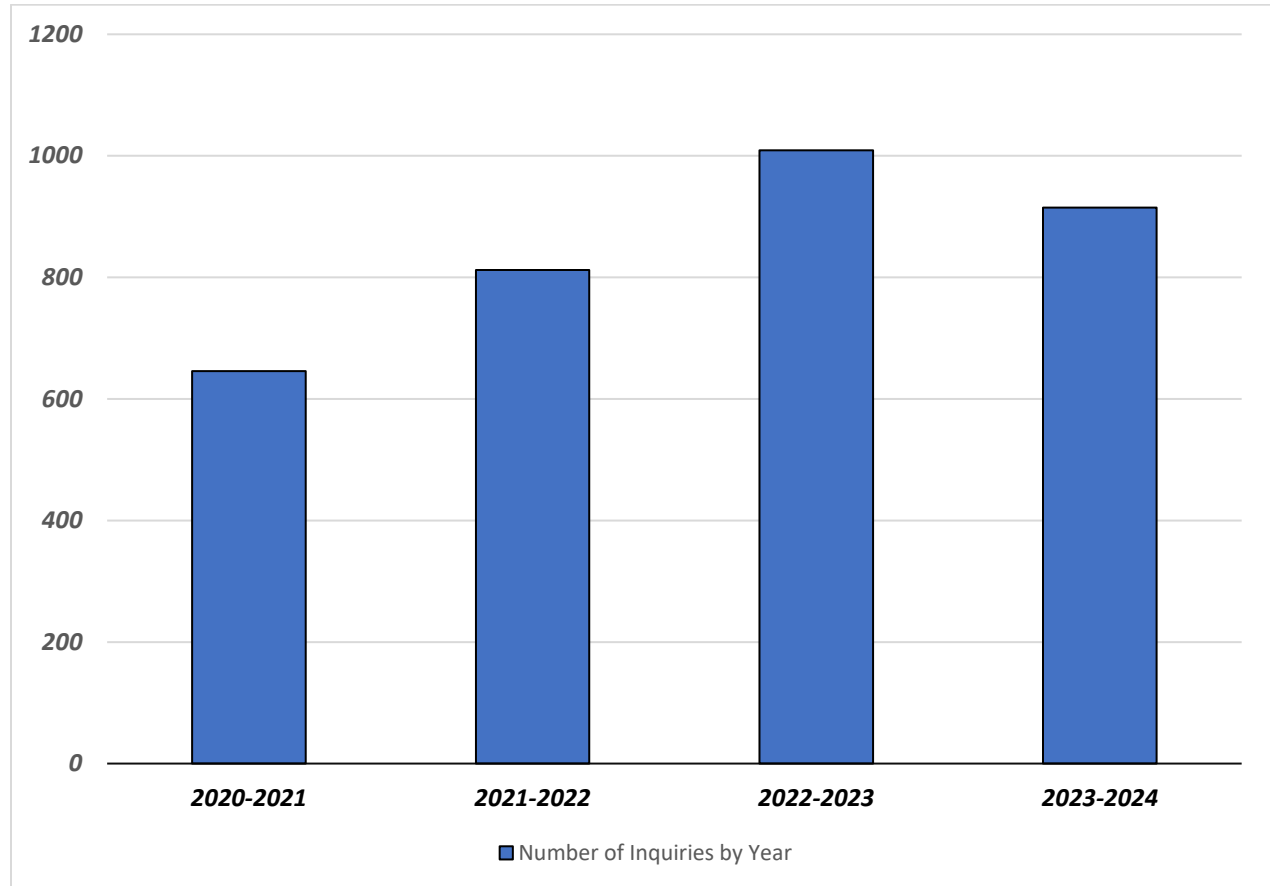
**Student with a Disability** – A student who has been determined to be eligible for special education and related services according to N.J.A.C. 6A:14-3.5 or 3.6.

**Transition** - Transition refers to the process of a student moving from school into the adult world. New Jersey regulations require that transition planning begins to be addressed in the IEP that will be in a place for the school year in which your child reaches 14 years of age, or younger if determined appropriate by the IEP team.

## Summary of Services

During SFY 2024, the Special Education Ombudsman responded to over 900 inquiries. Throughout the school year, emails and telephone calls were submitted by parents, guardians, caregivers, advocates, attorneys, educators, and students with disabilities along with other people who work in the field of special education. Figure 1, below, depicts a comparison of the number of inquiries over the last four years.

*Figure 1: Number of Inquiries by Year*



Below, Figure 2 depicts the number of inquiries submitted from each representative group between July 1, 2023 and June 30, 2024. Inquiries to the Special Education Ombudsman came from a variety of stakeholders. The majority, 69%, were submitted by families of students with disabilities. Advocates and attorneys accounted for 5% of inquiries, teachers made up 3%, and administrative staff represented 8%. An additional 15% of inquiries fell into the “Other/Not Specified” category. This category includes individuals who either chose to remain anonymous or initiated contact via phone or email but did not respond to follow-up. It also encompasses but is not limited to friends or relatives; private and non-profit organizations; out-of-state agencies; in-state agencies; social service agencies; and members of the general public.

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Figure 2: Percentage of Inquires by Group

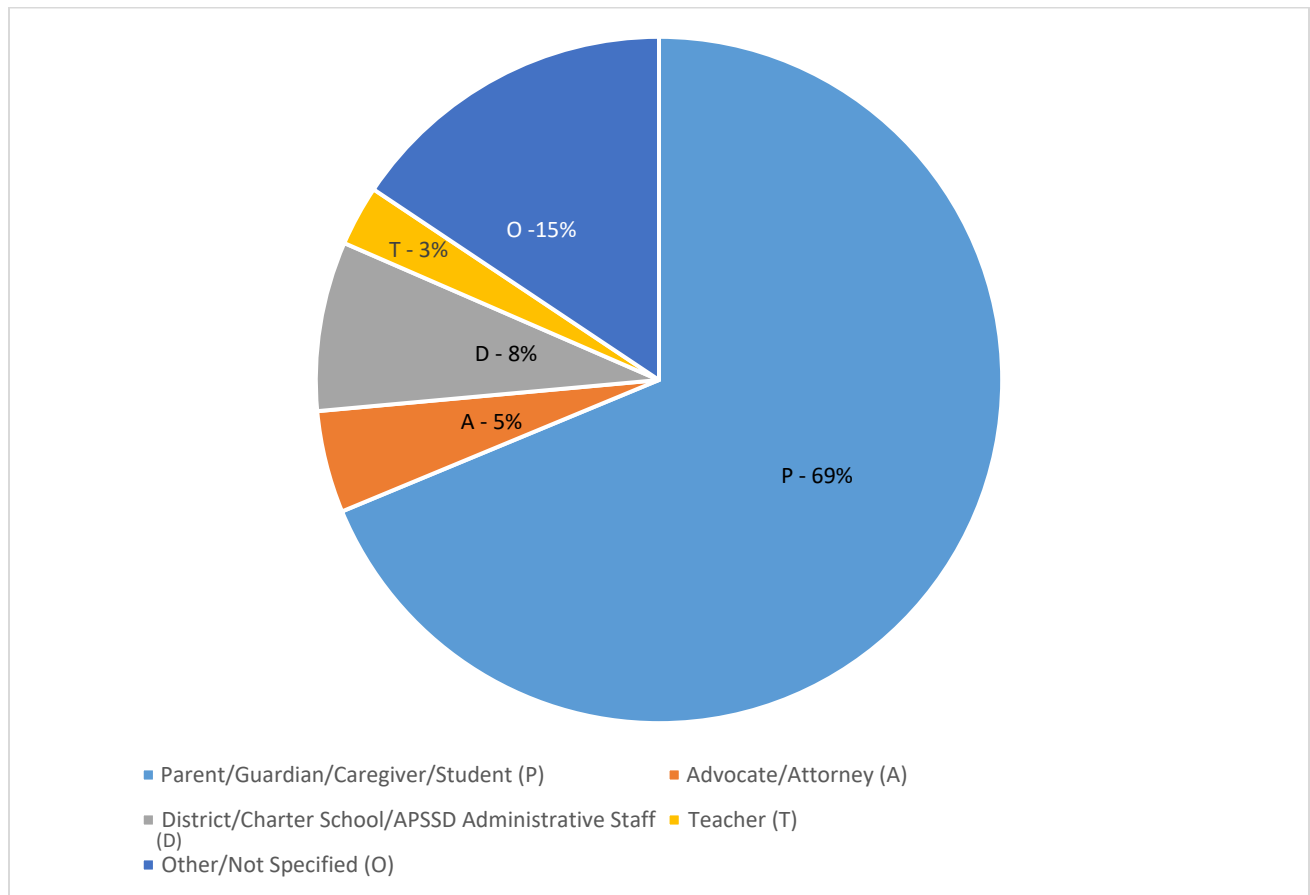


Figure 3, below, shows the monthly breakdown of inquiries to the Special Education Ombudsman. The volume of calls and emails increased in September and remained elevated through October. This likely reflects the increased uncertainty present at the start of the new school year as students transition to new classrooms, teachers, or placements. During FY 2025, inquiry volume varied from month to month, with a noticeable rise and steady activity from January through May. This pattern is consistent with previous years, as spring is typically when many IEP meetings are held to plan for the upcoming school year and extended school year services.

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Figure 3: Inquires Per Month

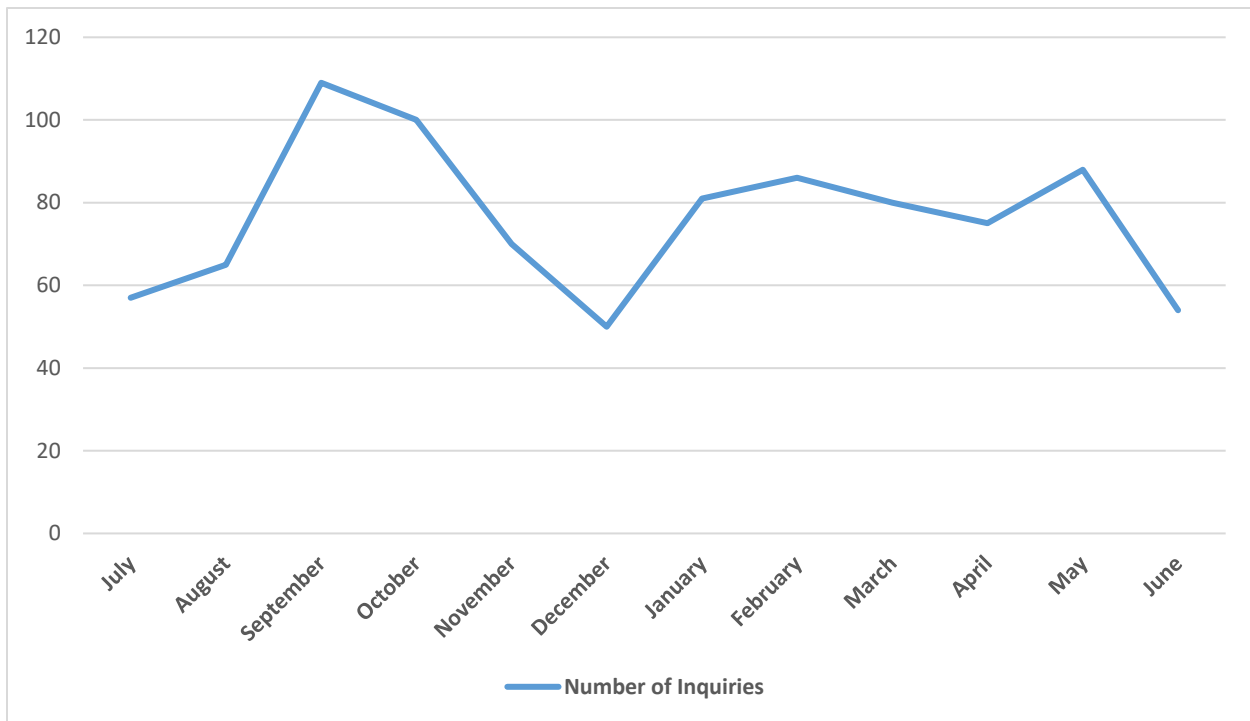


Figure 4, below, depicts the most common issues raised and the approximate number of inquiries related to each issue. It should be noted that some inquiries involve multiple issues related to special education; therefore, one inquiry may be categorized into multiple categories.

In FY25, the majority of inquiries to the Special Education Ombudsman focused on dispute resolution (30%) and program and placement issues (25%), which together made up over half of all contacts. Other frequent topics included the evaluation process (9%), IEP meetings and 504 plans (4%), and related services such as speech or transportation (4%). The remaining inquiries addressed a range of concerns, including placement outside of the resident school district (2%), graduation (2%), relocating to New Jersey with a student with a disability (2%), and access to student records (1%). A significant portion (21%) of inquiries fell into the “Other” category, reflecting a wide variety of topics that did not fit into the primary classifications or were unrelated to special education.

Throughout FY25, the Special Education Ombudsman and the Office of Special Education remained committed to supporting families of students with disabilities by providing clear guidance, resources, and individualized assistance. A significant portion of the Ombudsman’s work involved addressing questions related to dispute resolution. These conversations frequently focused on helping families understand their rights under special education law, including how to file a complaint if they believed a district was not implementing an IEP or complying with special education requirements. Support often included helping parents communicate effectively with school staff to resolve concerns at the local level before pursuing formal action, while also ensuring families were fully informed about how to proceed if formal dispute resolution, such as mediation, due process, or a complaint investigation, became necessary.

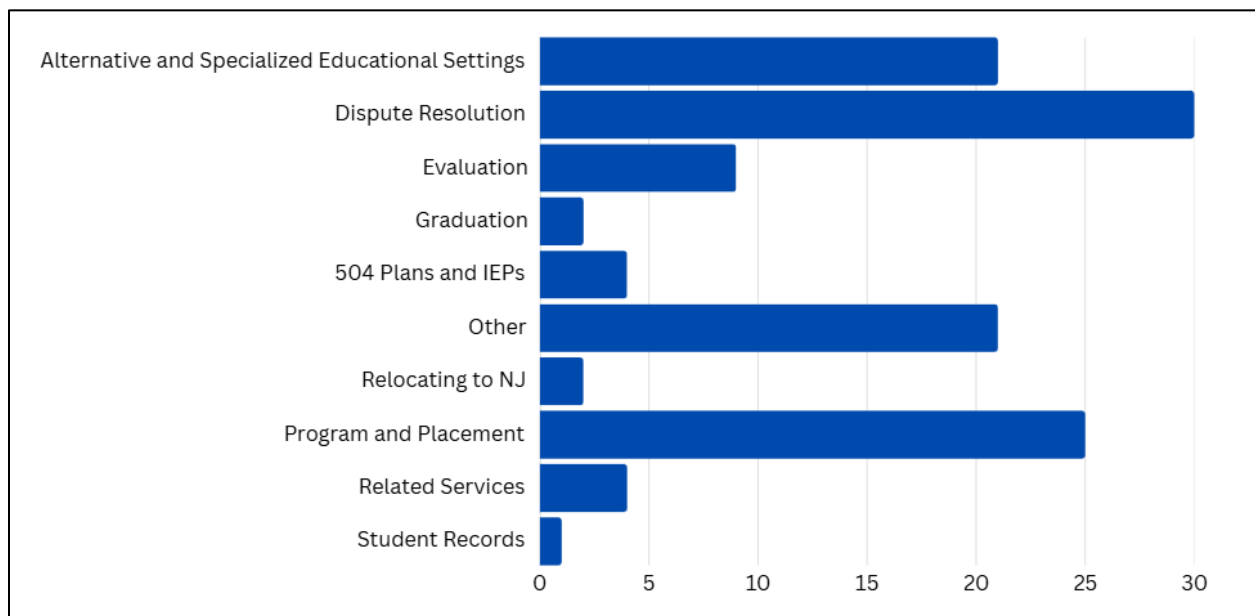


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To further strengthen support for families, the Office of Special Education established two new Family Support Specialist positions during FY25. These specialists are dedicated to helping families navigate all phases of dispute resolution, from improving communication with school districts to assisting with the procedural steps involved in filing for mediation, due process, or a special education complaint investigation.

In addition to special education matters, the Ombudsman received inquiries on broader topics such as teacher certification, general education services, personnel issues, school operations, and navigating the NJDOE website. In all cases, whether the question fell within or outside the scope of special education, the Ombudsman worked to connect families with the appropriate office or agency to ensure their concerns were addressed.

*Figure 4: Percentage of Inquiries by Category*



## Provided Support

The Special Education Ombudsman offers a wide range of individualized support to families, educators, and other stakeholders navigating the special education system. This support includes providing tailored resources to help address concerns, assisting families in locating appropriate district staff or school websites, and facilitating communication between parents and local education agencies to resolve issues. When appropriate, the Ombudsman contacts districts directly to help clarify concerns and offer strategies for effective collaboration.

Additional support is offered to families who are new to New Jersey, including guidance through the school registration process to ensure continuity of services for students with disabilities. The Ombudsman also assists parents whose children are transitioning from Early Intervention to district-level special education services, helping to ensure a program of special education and related services is in place when a child turns three. Families are frequently referred to the Facilitated IEP (FIEP) program, a state-sponsored initiative that promotes collaborative, student-centered IEP development with the help of trained facilitators, minimizing the need for formal procedural actions.

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When disagreements escalate, the Ombudsman ensures that families are informed of their rights and the formal dispute resolution processes available through the New Jersey Department of Education, including mediation, due process hearings, and complaint investigations. In some cases, parents are also referred to advocacy organizations or provided with information about free and low-cost legal support. The Ombudsman works closely with specialists from the Office of Special Education and other NJDOE offices and, when needed, refers individuals to other relevant state or federal agencies to ensure they receive the support they need.

Whether the inquiry is directly related to special education or involves broader educational concerns, the Special Education Ombudsman remains dedicated to ensuring individuals receive accurate information and meaningful support. Every effort is made to connect families and other stakeholders with the appropriate resources, offices, or agencies to help resolve their concerns effectively and ensure students' needs are met.

### Recommendations

It is recommended that the NJDOE continue to raise awareness of the Special Education Ombudsman's Office by sharing information and contact details with the public and with organizations that support families of students with disabilities. This outreach could include the use of public media and direct correspondence. To improve accessibility, the NJDOE should also consider translating materials about the Ombudsman's services into multiple languages to better reach parents and guardians across New Jersey.

The Ombudsman should continue to strengthen collaboration with other offices within the NJDOE and with state agencies. These partnerships help ensure that families and other stakeholders are connected with the appropriate specialists, staff, and services in a timely and effective manner. Ongoing collaboration with the Family Support Specialists in the Office of Special Education is especially important to provide coordinated guidance and support to families navigating the special education system.

Promoting the Facilitated IEP (FIEP) program should remain a key priority. This program offers a proactive and collaborative approach for families and school districts that may be experiencing communication challenges or disagreement during the IEP process. With the support of a trained, neutral facilitator, all parties can work together to develop an IEP that meets the student's needs. FIEP has the potential to reduce disputes and foster more productive, long-term relationships between families and schools.

The Special Education Ombudsman should continue to collaborate with the Office of Special Education's professional development initiatives, including the successful Summer and Winter Learning Institutes, to strengthen family engagement and promote meaningful home-school-community partnerships. By participating in and contributing to these learning opportunities, the Ombudsman can help ensure that families' perspectives are included in statewide training efforts, provide clarity on special education rights and procedures, and support educators in fostering inclusive, collaborative relationships with

families. This partnership reinforces the shared commitment to equitable access, transparent communication, and improved outcomes for students with disabilities.

## Conclusion

The role of the Special Education Ombudsman is to serve as a resource for parents, students, and educators by providing information and support regarding special education rights and services. The consistently high number of inquiries received each year underscores the continued value of the Ombudsman as a trusted point of contact for parents, students, advocates, attorneys, educators, and the public, both within New Jersey and beyond. Many of the issues brought to the Ombudsman are time-sensitive, and every effort is made to respond promptly, as those seeking assistance often need timely guidance.

It is important to emphasize that New Jersey has over 650 school districts and charter schools, each with its own special education staff, including child study teams, teachers, and related service providers. Across the state, more than 240,000 public school students have IEPs, and over 12,000 students attending nonpublic schools have service plans. Inquiries to the Ombudsman are almost always highly individualized and specific to a particular student and family. As noted in previous reports, this level of specificity makes it difficult to identify broader patterns of noncompliance.

Nonetheless, several recurring topics consistently emerge from the inquiries received, including questions related to programs and services for students with disabilities, dispute resolution options and procedures, special education evaluations, and related services such as transportation.

More recently, it has become clear that a growing number of statewide and community-based organizations are sharing the Ombudsman's contact information with families and the public. Many callers now report being referred to the Ombudsman for assistance with concerns or questions. This reflects the expanding awareness and reach of the Ombudsman's office. Effective communication remains a foundational element in building and maintaining positive relationships between families and schools. When communication is strong, it helps ensure that all parties stay focused on supporting students.

## Appendix A

- State and Federal Special Education Regulations
  - [New Jersey Special Education Regulations](#)
  - [Individuals with Disabilities Education Act](#)
- New Jersey Department of Education
  - [NJDOE website](#)
  - [NJDOE Broadcast Memos](#)
  - [Office of Special Education](#)
  - [Parental Rights in Special Education \(PRISE\)](#), a document prepared by the OSE that describes the state and federal laws affecting the provision of special education and parental rights in the special education process.
  - [Free and Low-Cost Legal Representation](#)
  - [County Offices of Education](#)
  - [Office of Controversies and Disputes](#)
  - [Office of Student Transportation](#)
  - [Office of School Bus Safety](#)
  - [Office of Standards](#)
  - [Office of Assessments](#)
- New Jersey State Agencies
  - [Division of Development Disabilities \(DDD\)](#)
  - [Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families](#)
  - [Early Intervention](#)
  - [Division of Vocational Rehabilitation Services \(DVRS\)](#)
  - [Commission for the Blind and Visually Impaired](#)
  - [Division of Deaf and Hard of Hearing](#)
  - [New Jersey Office of Institutional Abuse Investigation Unit](#)
  - [Catastrophic Illness in Children Relief Fund](#)
  - [Children's System of Care](#)
- United States Department of Education
  - [Office of Special Education Programs](#)
  - [Office of Civil Rights](#)
- [Statewide Parent Advocacy Network](#)
- [Disability Rights of New Jersey](#)