

NJCDD

NJ Council on Developmental Disabilities

the **Council**

A publication of the New Jersey Council on Developmental Disabilities



Student Records Requested in Class Action Law Suit

In February, New Jersey parents and guardians with a student in special education received a letter from their local district notifying them of the release of their child's special education records. The notice was required by the court in a lawsuit brought against the New Jersey Department of Education by special education advocates. The case seeks to ensure that each student with a disability in New Jersey receives an appropriate education in the least restrictive environment that includes all necessary supports.

As part of the suit, student records may be shared with plaintiffs' lawyers. Parents and guardians who objected to the release of their child's records had the option to file paperwork with the State to prevent their child's records from being released.

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State Budget Crisis Cuts into Disability Services

Governor Christie's plan to close the \$2 billion budget gap in New Jersey's current fiscal year includes roughly \$72 million in cuts to the Department of Human Services (DHS). The cuts, announced in late February, took effect immediately. Among the budget cuts that will impact individuals with developmental disabilities are the following:

- ❑ \$2 million in waiting list funding. The Division of Developmental Disabilities (DDD) allocated \$4 million in 2010 to move 125 people off the waiting list this year. Because DDD under-spent those funds, they are only expected to spend about \$2 million. The other \$2 million has now been cut.
- ❑ \$4.4 million in cuts to Olmstead funding. This funding provides community placements for people moving out of developmental centers into community-based housing. The cuts include \$1.9 million in unspent funds from fiscal year 2009, and another \$2.5 million to be saved by halting further planned Olmstead placements for 2010.
- ❑ \$136,000 in cuts to information technology services/contracts.
- ❑ \$106,000 reduction in "duplicative contracts" between DDD and the Department of Health and Senior Services.
- ❑ \$5 million to be saved through developmental center efficiencies.
- ❑ \$500,000 to be saved by halting further equipment purchases across divisions.



*Governor Chris
Christie*

*A second round
of mid-year
recisions will
take effect in
the current
budget year*

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Bills Signed into Law

During his final days in office, outgoing Governor Jon Corzine signed into law a number of bills of interest to people with disabilities and advocates:

New Jersey Reading Disabilities Task Force (A. 880 / S. 2400)

Creates a task force to study practices for diagnosing, treating, and educating students with reading disabilities. The Task Force will develop recommendations for the Governor and Legislature within one year and then disband.


the work force; examining the correlation between traumatic brain injury and psychiatric illness and potential future incarceration.

Requiring Certain People to Report Abuse, Neglect or Exploitation (S. 1799 / A. 853)

Requires certain professionals, including health care professionals, law enforcement officers, firefighters, paramedics or emergency medical technicians, to report suspected abuse, neglect or exploitation of a vulnerable adult. Current law requires health care professionals employed at developmental centers and congregate living facilities to report suspected abuse.

Providing Voter Registration Material to High School Students (A. 2752 / S. 2541)

Requires school districts to provide voter registration material to eligible high school students every year prior to the graduation date. Prompted by comments from the the Council and other disability advocates, the bill's sponsors amended the language of the bill to require the distribution of material to all eligible students prior to the graduation date for the school year, so all students in special education would receive the information.



New Jersey Special Education and Traumatic Brain Injury Task Force (S. 3036/A. 4270)

Creates a task force to develop best practices for education professionals working with students who have traumatic brain injury. Objectives include: ensuring that educators have appropriate professional development; identifying and developing effective educational practices; studying ways to prepare students with a traumatic brain injury for entry into college or

Student Records *Continued from cover*

The judge in the case entered a “Discovery Confidentiality Order,” which means that none of the lawyers or people involved in the case can share information with anyone else for any reason. A child’s name, birth date, social security number, or any other information will never be released to the public, the media or to anyone else. Any confidential documents that are exchanged during the case will be returned to the Department of Education after the lawsuit ends. The lawsuit does not seek to change students’ current

services or placement. Instead, the lawsuit aims to make sure that the state and school districts do a better job, in the future, of developing more appropriate IEPs (Individualized Education Plans).

For more information, go to www.state.nj.us/education/specialed/notice/. Parents can visit the SPAN website at www.spannj.org/ferpa.htm, or call 1-800-654-SPAN; or The Education Law Center website at www.edlawcenter.org/, or call 973-624-1815. Parents who did not receive the notice should contact their local school district.

State Budget Crisis Cuts into Disability Services *continued from cover*

- ❑ \$200,000 to be saved by halting the distribution of funds to regional DDD offices to handle emergencies.
- ❑ \$54,000 in cuts to uncommitted capital expenses.
- ❑ \$234,000 in cuts to specific agencies.

Details on all the fiscal year 2010 budget cuts can be found at www.state.nj.us/governor/news/budget/FY2010BudgetSolutions.pdf.

En español, por favor

La crisis del presupuesto estatal afecta los servicios de discapacidad

El plan del gobernador Christie para solucionar la brecha de \$2 mil millones del ejercicio fiscal actual de Nueva Jersey incluye aproximadamente \$72 millones en recortes al Departamento de Servicios Humanos (DHS). Los recortes que se anunciaron a fines de febrero, entraron en vigencia inmediatamente. Entre los recortes que afectarán a las personas con discapacidades de desarrollo tenemos:

- ❑ La suma de \$2 millones en la lista de espera de financiamiento. La División de Discapacidades de Desarrollo (DDD) asignó \$4 millones en el 2010 para sacar a 125 personas de la lista de espera este año. Debido a que se ha gastado menos de lo esperado de esos fondos, sólo se espera que se gasten aproximadamente \$2 millones. Se han recortado actualmente los otros \$2 millones.
- ❑ Se ha realizado un recorte del financiamiento Olmstead de \$4.4 millones. Estos fondos proporcionan asignaciones en la comunidad a las personas que se están trasladando de centros de desarrollo a viviendas basadas en la comunidad. Este recorte incluye \$1.9 millones en concepto de gastos menores realizados en el año fiscal 2009 y otro ahorro de \$2.5 millones logrado al detener todas las asignaciones Olmstead programadas para el 2010 a partir de este momento.
- ❑ La suma de \$136,000 en recortes de servicios/contratos de tecnología de la información.

- ❑ Recorte de \$106,000 en “contratos duplicados” entre la DDD y el Departamento de Salud y Servicios para el Adulto Mayor.
- ❑ Un ahorro de \$5 millones de los fondos destinados a apartamentos pequeños del centro de desarrollo.
- ❑ Ahorros por \$500,000 en el rubro de la línea de equipamiento en todas las divisiones.
- ❑ Gastos menores anticipados de \$200,000 de los fondos que reciben las oficinas regionales de la DDD para manejar las emergencias.
- ❑ La suma de \$54,000 en concepto de gastos de capital no comprometido.
- ❑ Recortes de \$234,000 dirigidos a agencias específicas.



gobernador Chris Christie

Una segunda ronda de mediados de los años recisiones entrará en vigor en el ejercicio

Los detalles de todos los recortes para el año fiscal 2010 se pueden encontrar en www.state.nj.us/governor/news/budget/FY2010BudgetSolutions.pdf.



April

- 12-14 Disability Policy Seminar, sponsored by The Arc of the United States, United Cerebral Palsy (UCP), American Association on Intellectual and Developmental Disabilities (AAIDD), Association of University Centers on Disabilities (AUCD), National Association of Councils on Developmental Disabilities (NACDD), and Self Advocates Becoming Empowered (SABE). To be held in Washington, D.C. For more information, please visit <http://www.disabilitypolicyseminar.org/>.
- 16 Positive Behavior Support: Improving Quality of Life While Addressing Problem Behavior, by David Rotholz, Ph.D. Sponsored by The Elizabeth M. Boggs Center Developmental Disabilities Lecture Series. To be held in Iselin, NJ at the Woodbridge Hilton, 9:30 a.m. - 12:30 p.m. For more information, email Carole Ramirez or call (732) 235-9307, or visit http://rwjms.umdj.edu/boggscenter/dd_lecture/DD_lecture.html.
- 30 Think College: The Promise of Postsecondary Education for Students with Intellectual and Developmental Disabilities, by Meg Grigal, Ph.D. Sponsored by The Elizabeth M. Boggs Center Developmental Disabilities Lecture Series. To be held in Iselin, NJ at the Woodbridge Hilton, 9:30 a.m. - 12:30 p.m. For more information, email Carole Ramirez or call (732) 235-9307, or visit http://rwjms.umdj.edu/boggscenter/dd_lecture/DD_lecture.html.

May

- 7 Innovations in Individualized Supports: Making Community Connections Happen for People with Developmental Disabilities, by Hanns Meissner, PhD. Sponsored by The Elizabeth M. Boggs Center Developmental Disabilities Lecture Series. To be held in Mt. Laurel, NJ, at the Doubletree Guest Suites, 9:30 a.m. - 12:30 p.m. For more information, email Carole Ramirez or call (732) 235-9307, or visit http://rwjms.umdj.edu/boggscenter/dd_lecture/DD_lecture.html.
- 27 NJCDD Public Meeting; Lafayette Yard Marriott Conference Center, 1 West Lafayette Street, Trenton, NJ 08608, 10:00 a.m. - 3:00 p.m. Persons needing special accommodations should contact the Council at (609) 292-3745.

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 The Council is a compilation of news from various sources, organized to inform people with disabilities about policies, programs, laws, trainings, and events. This publication and others published by NJCDD are available in alternate accessible formats. Please call the Council for more information.

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