

In March, 2014, disability advocates entered into an historic [settlement](#) with the New Jersey Department of Education to ensure that New Jersey students with disabilities receive an appropriate education in the “least restrictive environment.”

The lawsuit cited New Jersey’s failure to implement the Individuals with Disabilities Education Act (IDEA), which requires the provision of a “free and appropriate public education” in the “least restrictive environment” to all eligible students. The plaintiffs alleged that children were inappropriately and unnecessarily sent out of district and denied in-class aids, services and accommodations needed to receive an appropriate education in the general education classroom.

The Settlement includes:

- a Needs Assessment to be completed by the 75+ school districts with the worst track record in inclusion and which enroll more than 25% of all students in New Jersey;
- heightened oversight of those districts which segregate a disproportional number of students with disabilities of color;
- district site visits by the Department of Education, including classroom observations and staff interviews;
- extensive training and technical assistance for district staff, and regular assessment of the trainings and technical assistance;
- training of state complaint investigators;
- specially designated state and local inclusion facilitators;
- annual compliance monitoring;
- parental input regarding district failures to appropriately include students with disabilities; and
- oversight by a stakeholder committee comprised of disability advocates.

The Settlement became effective upon the judge’s February 19, 2014 signing of the Order, and implementation will be immediate.