

Document: 55 N.J.R. 1475(c)

---

## 55 N.J.R. 1475(c)

Copy Citation

VOLUME 55, ISSUE 14, JULY 17, 2023

### RULE ADOPTIONS

#### Reporter

55 N.J.R. 1475(c)

[NJ - New Jersey Register](#)   [2023](#)   [JULY](#)   [JULY 17, 2023](#)   [RULE ADOPTIONS](#)   [HUMAN SERVICES -- COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED](#)

#### Agency

---

HUMAN SERVICES > COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

#### Administrative Code Citation

---

**Readoption: N.J.A.C. 10:92**

#### Text

---

#### Notice of Readoption

#### **Educational Services of the Commission for the Blind and Visually Impaired**

Authority: N.J.S.A. 30:1-2 and 30:6-1 et seq.

Authorized By: Sarah Adelman, Commissioner, Department of Human Services.

[page=1476] Effective Date: June 20, 2023.

New Expiration Date: June 20, 2030.

**Take notice** that N.J.A.C 10:92, Educational Services of the Commission for the Blind and Visually Impaired, was scheduled to expire on September 8, 2023. The rules of this chapter make possible a Statewide itinerant educational services program for children who are blind or visually impaired to facilitate their inclusion in the least restrictive, most appropriate, educational setting. The Department of Human Services (Department) recognizes that further rulemaking is necessary to update this chapter to be consistent with best practices. To that end, the Department is considering substantive amendments to be published following this reoption.

The following is a summary of the subchapters at N.J.A.C. 10:92.

Subchapter 1, Overview of Educational Services, provides the purpose and scope of the subchapter, including describing the types of educational services provided to children who are blind or visually impaired. This subchapter also includes the definition of terms utilized throughout the chapter. These include blindness education services, specialized services for infant and toddlers, and specialized services for blind and visually impaired school age children who have multiple disabilities.

Subchapter 2, Eligibility Standards for Educational Services, describes the criteria needed to establish eligibility to receive education services from the Commission for the Blind and Visually Impaired ("Commission" or "CBVI"). This subchapter also describes the steps taken when a child is determined ineligible and the elements contained in the notification letter, which include the basis for the decision and the process for review.

Subchapter 3, Itinerant Education Services, includes a description of the role of provider service agreements, which are contracts between the Commission and a school district for the provision of itinerant services to assess and determine a child's level of need. There are four different levels of service a school can contract for, and this subchapter describes what specifically is included at each level. This subchapter also describes the services provided to infants and toddlers with blindness or vision impairment, services provided to students with multiple disabilities, including blindness or vision impairment, and the financial needs standard.

Subchapter 4, Loan and Provision of Materials, Aids, and Equipment, sets forth the resources available through the George F. Meyer Instructional Resource Center to students receiving blindness education services, instructional materials and adaptive equipment, as appropriate, to the individual student's needs. Eligible students may receive accessible materials, such as Braille or Large Print instructional materials, as well as adaptive equipment, including Braille Writers and electronic note-taking devices. The subchapter also provides the protocols for eligible students to borrow State-owned educational equipment through CBVI, as determined necessary by the Commissioner instructor.

Subchapter 5, Commission Services Available to Eligible Children, describes the additional services that are available to eligible children, including recreational and development programs, independent living skills instruction, such as orientation and mobility training, and transition services.

Subchapter 6, Educational Program Options, describes the Commission's role in determining the educational placements of eligible children receiving Blindness Education Services. Federal law, through the Individuals with Disabilities Education Act of 2004, mandates that students are to be educated in the least restrictive environment. The determination of educational placement is the responsibility of the local school district, in collaboration with the student's parent or guardian. The itinerant teacher of the Commission shall collaborate with the school district and assist by identifying characteristics of an optimal educational placement.

The Department has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated, as required at N.J.S.A. 30:1-12 et seq. In accordance with N.J.S.A. 52:14B-5.1.c(1), these rules should be readopted and continue in effect for a seven-year period.

NEW JERSEY REGISTER

Copyright © 2023 by the New Jersey Office of Administrative Law

**Content Type:**

**Terms:**

**Narrow By:** -None-

**Date and Time:** Jul 18, 2023 01:36:46 p.m. EDT



[Cookie Policy](#)

[Terms & Conditions](#)