

## CHAPTER 331

AN ACT concerning special education and supplementing chapter 46 of Title 18A of the New Jersey Statutes.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

C.18A:46-1.1 Burden of proof, production on school district relative to special education due process hearings.

1. Whenever a due process hearing is held pursuant to the provisions of the "Individuals with Disabilities Education Act," 20 U.S.C. s.1400 et seq., chapter 46 of Title 18A of the New Jersey Statutes, or regulations promulgated thereto, regarding the identification, evaluation, reevaluation, classification, educational placement, the provision of a free, appropriate public education, or disciplinary action, of a child with a disability, the school district shall have the burden of proof and the burden of production.

2. This act shall take effect immediately and shall apply to due process hearings requested in writing after the effective date of this act.

Approved January 13, 2008.