

**SAU 7: Colebrook, Stewartstown, & Pittsburg
School Districts**

Special Education Procedures Plan

Updated: July 2022

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SAU #7 School Districts

Special Education Plan

Ed 1126.01(b)

This Special Education Procedures Plan describes SAU 7 School Districts' Local Education Agency (LEA) procedures regarding the provision of a free and appropriate public education (FAPE) to all children with disabilities. The LEA will annually review this special education procedural plan so that the procedures reflect current federal and state regulations.

This Plan has been developed to assure the State Education Agency (SEA), New Hampshire Department of Education, that the LEA has procedures to meet the eligibility requirements of Part B of the IDEA for purposes of receiving federal funds.

This Plan is aligned with 34 CFR Part 300 of the Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities - Final Rules – August 14, 2006 (IDEA 2004) and the New Hampshire Standards for the Education of Children with Disabilities, effective March 24, 2017, amended June 14, 2018, amended August 9, 2018 (NH Standards).

CHILD FIND
34 CFR 300.111 Ed 1126.01(b)(1);Ed 1105

SAU 7 School Districts understand that we have an obligation to find children who are potentially a child with a disability, from 2.5 to (and including) age 21, who reside in the Districts. This applies to all children with disabilities, including highly mobile children (such as migrant and homeless children), children placed in homes for children, health care facilities, or state institutions, and children who are suspected of being eligible under IDEA, even though they are advancing from grade to grade. In addition, this applies to those children attending approved, non-public private schools within the geographic boundaries of the Districts.

All data and information collected and used under this section are subject to confidentiality requirements as described in the [Confidentiality section](#).

The District child find program includes, at a minimum, the following:

1. The Districts have established referral procedures, which ensure that all students who are suspected or known to be a child with a disability are referred to the special education evaluation team for further evaluation. When referrals are received, the IEP team will complete notifications, meetings, evaluations, and all steps of the child find process within the applicable timelines.

Referral Process

The Districts will work collaboratively with families and outside agencies to ensure the steps of the Child Find process are followed in as timely a manner as possible for any child.

Once a referral has been received, the referral will be acted upon in the following manner:

- a. A file will be created for this child.
- b. Within 15 business days of the receipt of the referral, regardless of the age of the child, the Special Services office will schedule and conduct a disposition of the referral meeting. At such time, the referral information will be provided to the parent. The Districts shall immediately send written notification of the referral to the parent. Procedural Safeguards, and any other relevant information your Districts provide parents, will be included with the parent notification. Additionally, for those who sign off to receive electronic communication, an email invitation with the referral attached will be sent. This IEP Team meeting will include the family and

appropriate members of the IEP team. The meeting may take place at the SAU 7's School Districts' or virtually.

If the parent does not attend, the meeting will be held. Parents will be provided with a copy of the current New Hampshire Special Education Procedural Safeguards Handbook at this meeting or it will be mailed if they are not in attendance. If the parent does not attend, the meeting will be rescheduled to ensure the parents are in attendance.

c. Parents will be provided by the SAU 7's School Districts' Written Prior Notice (WPN) of all proposals/refusals so that they may make informed decisions. Parent(s) will be given 14 calendar days, as required by law and outlined in the New Hampshire Rules for the Education of Children with Disabilities, to make decisions about any proposal by the IEP team.

d. Verify that the child's electronic record is available in NHSEIS.

3. Disposition of Referral Meeting (held within 15 business days of receipt of referral):

a. The IEP team, which includes the family, will meet and discuss the child's development, current services, current evaluation results (if applicable), and concerns of the family and outside providers, if appropriate and granted by the family.

b. The IEP team will determine whether the concerns raised by the referral can be addressed using existing pupil support services available to all children, whether additional information is required, and what testing, if any, is needed to address any remaining concerns raised by the referral.

c. If the IEP Team agrees that recent evaluation results (dated within one year and conducted by qualified examiners as defined in ED 1107.04), and other information provided to the team, are an accurate representation of the child's current skills, the IEP Team may choose to accept the results.

d. **Or** if the IEP Team does not agree that the available evaluation results accurately represent the child's current skills or if there is no data then they may recommend further evaluations to determine eligibility and identification.

e. If further evaluation is recommended, the school Districts will request and obtain parents' written permission to conduct specified evaluations. Testing will be completed within 60 days of receipt of parental consent.

f. Data will be entered into NHSEIS

2. Any person may refer a child to the IEP team for reasons including but not limited to the following (list is not exhaustive):
 - a. Failing to pass a hearing or vision screening;
 - b. Unsatisfactory performance on group achievement test or accountability measures;
 - c. Receiving multiple academic and/or behavioral warnings or suspensions/expulsions from child care or after school programs; and
 - d. Repeatedly failing one or more subjects.
 - e. Inability to progress or participate in developmentally appropriate preschool activities; and
 - f. Receiving services from family-centered early supports and services.
3. On an annual basis, the Districts contact all approved non-public and non-profit private schools (including religious elementary and secondary schools) within their geographic boundaries regardless of where the child resides. The Districts conduct a consultation phone conversation and advise school officials of the Districts' responsibilities to identify and evaluate all students who are suspected of or known to be a child with a disability enrolled in such schools. Copies of referral forms are made available to staff within these nonpublic private schools. The Districts shall conduct child find activities that ensure equitable participation of private school students with disabilities and provide an accurate count of those students. All child-finding activities conducted for children enrolled in private schools by their parents shall be similar to those activities conducted for children who attend public schools in the Districts. Referrals from approved nonpublic schools shall be forwarded to an appropriate special education team for further consideration.
4. On an annual basis, the Districts contact all community agencies and programs within its geographic boundaries that provide medical, mental health, welfare, and other human services, to advise them of the Districts' responsibility to identify and evaluate all students who may be a child with a disability. This includes homes for children, health care facilities, or state institutions within the boundaries of the Districts that may know children with disabilities who are involved with the state court and for whom a special education program may be appropriate. Referrals from these agencies shall be forwarded to the special education evaluation team for further consideration.
5. On an annual basis, the Districts publicize and disseminate information, which describes its Child Find Program. This includes a description of the District's special education program, supports, and services, including a contact person, his/her functions, and how he/she might be contacted for further information or referral. This is disseminated through local newspapers, flyers shared with local

nonpublic private schools, and through the Districts website. Information is shared in a way that is culturally competent and available to all cultures in the community, including different languages if necessary.

6. The Districts shall annually provide all parents of children with disabilities information regarding their rights and responsibilities under federal and state special education laws.
7. The Districts ensure that all referrals from parents and others who suspect or know a child with a disability are forwarded to the special education team. The Districts shall provide the parents with written notice of any referral other than one initiated by the parent. A copy of the referral and the New Hampshire Special Education Procedural Safeguards Handbook is sent to the parents.
 - A. The Districts ensure there are continuing efforts related to cultural competency concerning public awareness and child find activities, such as the ability to communicate with and relate to parents and families in ways that are appropriate to their individual racial, ethnic, and/or cultural backgrounds.

Transition from Early Support and Services to the Districts Preschool Program

The SAU 7 School Districts ensures that all children who have disabilities that require specialized education or related services, starting on the child's third birthday to (and including) 21 years of age, receive a free and appropriate public education. To ensure that each student receives this education, as entitled to under the Individuals with Disabilities Act of 2004 and the NH Rules for the Education of Children with Disabilities, the Districts will follow the procedures outlined here. These procedures will be followed collaboratively with providers of early supports and services as outlined in the written Interagency Agreement between SAU 7 School Districts and Early Supports and Services (ESS).

1. Work collaboratively with ESS providers to ensure the steps of the transition process are followed in as timely a manner as possible for any child referred by ESS after the age of two.
2. Once the referral has been received from the ESS program, the referral will be acted upon in the following manner:

- a. The Preschool Coordinator will note the date of the receipt and send the parent(s) a pre-referral packet which includes an outline of the special education process along with a letter acknowledging the receipt of referral. A copy of this letter will be sent to the ESS provider and the letter will be placed in the child's file.
 - b. As part of the pre-referral packet, copies of proof of age, residency, and immunization will be requested. The special education process, including disposition of referral, evaluation, and eligibility determination, will be conducted with the understanding that required documents are being obtained as part of that process.
 - c. A file will be created for this child.
 - d. Within fifteen business days of the receipt of the referral from an ESS program service coordinator, regardless of the age of the child, the Preschool Coordinator will schedule and conduct a disposition of the referral meeting. This IEP Team meeting will include the family and appropriate members of the IEP team. The ESS program service coordinator will be invited to this meeting by the School Districts. The meeting may take place at the School Districts or virtually. If the parent does not attend, the meeting will be held. Parents will be provided with a copy of the current New Hampshire Special Education Procedural Safeguards Handbook at this meeting or it will be mailed if they are not in attendance.
 - e. Parents will be provided by the School Districts' Written Prior Notice (WPN) of all proposals/refusals so that they may make informed decisions. Parents will be given 14 calendar days, as required by law and outlined in the New Hampshire Rules for the Education of Children with Disabilities, to make decisions about any proposal by the IEP team.
 - f. Verify that the child's electronic record is available in NHSEIS.
3. Disposition of Referral Meeting (held within 15 business days of receipt of referral):

- a. The IEP team, which includes the family, will meet and discuss the child's development, current services, current evaluation results (if applicable), and concerns of the family and ESS providers.
- b. The IEP team will determine whether the concerns raised by the referral can be addressed using existing pupil support services available to all children, whether additional information is required, and what testing, if any, is needed to address any remaining concerns raised by the referral.
- c. If the IEP Team agrees that recent ESS evaluation results (dated within one year and conducted by qualified examiners as defined in ED 1107.04), and other information provided to the team, are an accurate representation of the child's current skills, the IEP Team may choose to accept the results.
- d. **Or** if the IEP Team does not agree that the available evaluation results accurately represent the child's current skills or if there is no data then they may recommend further evaluations to determine eligibility and identification.
- e. The IEP team may determine that, based on the age of the child at the time of referral and that they are currently receiving ESS services, the IEP Team will reconvene at a date closer to the child's third birthday, but not less than 90 days before the third birthday, to determine what, if any, evaluations are necessary.
- f. If further evaluation is recommended, the school Districts will request and obtain parents' written permission to conduct specified evaluations.
- g. Data entered into NHSEIS.

4. Evaluation

- a. The school Districts have 60 calendar days from the date written parental permission is received to complete the evaluation, summarize the findings then conduct a meeting to review the results.

- b. The school Districts will provide parents with copies of each examiner's evaluation and assessment reports(s) via mail (unless the parent agrees and Districts agree to another method or the parent waives that right in writing) at least 5 days before the IEP meeting
 - c. Data entered into NHSEIS
5. Eligibility for special education will be determined.
- a. The special education process, including disposition of referral, evaluation, and eligibility determination, will be conducted with the understanding that all enrollment required documents are being obtained as part of that process. If there is an instance where it is suspected that documents will not be obtained before the development of the IEP, the administration should be contacted as soon as possible so that alternative means may be considered to ensure that the Districts can fulfill its obligations to provide the child with a free appropriate public education in the timelines outlined in the IDEA and NH Rules for the Education of Children with Disabilities.
 - b. Data entered into NHSEIS
 - c. MMS entry if the student is eligible for special education identification and services
6. Development of the IEP:
- a. The IEP team will write an Individual Education Program (IEP) within 30 days of the child is determined eligible for services and at least 15 days before his/her third birthday. The ESS Service Coordinator will be invited to the IEP Team meeting. The plan will be based on information and data obtained from parents, ESS service providers, observations, evaluations, and additional data as appropriate.
 - b. The IEP will document the supports and services necessary to provide the child with a free and appropriate public education.

- c. Once these supports and services have been agreed upon and approved by the parent, the placement where these supports and services will be provided will be determined. The placement will be based upon the Least Restrictive Environment (LRE) where services, as listed in the IEP, can be delivered. The LRE is a continuum of learning environments as described in state regulation, Ed. 1111.03 and federal regulation 34 CFR 300.115.
 - d. Data entered into NHSEIS
7. Implementation of the IEP before the child's third birthday:
- a. The IEP will be completed, agreed upon, and signed by the LEA representative (Local Educational Agency representative) and the parent before the child's third birthday.
 - b. Data entered into NHSEIS
8. Children with summer birthdays:
- a. The Districts will ensure that a signed IEP is in place by the date of the child's third birthday regardless of when that date is.
 - b. A summer birthday is defined as the date of or after the last day of the scheduled preschool year and on or before the first day of scheduled preschool.
 - c. With agreement from the family, the IEP Team may choose to complete eligibility determination and develop the IEP (if applicable) for a child with summer or early fall birthday, prior to the end of the previous school year.
 - d. Regardless of when a child's third birthday is, per state and federal law, an IEP must be agreed upon with a date to begin the provision of special education and related services, by both the LEA and the parent before the child's third birthday. The start date for the provision of special education services may be a date after the third birthday as determined by the IEP team.

9. Participation in the ESS Transition Conference

As required by ED 1105.04(d), a representative of the school districts shall participate in the Transition Conference coordinated by Early Supports and Services.

See [Interagency Agreement For Early Childhood Transitions](#)

See SAU 7 Districts' Policy: [IHBA Programs for Pupils with Disabilities](#)

CONFIDENTIALITY OF INFORMATION Ed 1126.2(b)(3)(a); Ed 1119

The SAU 7 School Districts' adhere to the Confidentiality of Information regulations outlined in the NH Standards, the Federal Family Educational Rights and Privacy Act of 1974 20 U.S.C. 1232G, (FERPA), and its implementation of regulations in 34 CFR Part 99 and the IDEA 2004; 34 CFR 300.610-627.

See SAU 7 Districts' Policy: [JRA Student Records & Access - FERPA](#)

NH Standards, adopted March 23, 2017, reformed April 10, 2020, include a retention and destruction requirement under Ed 1119.01 and RSA 186-C:10-a. This requirement indicates the following:

Ed 1102.04 Definitions: "Parent" means a biological or adoptive parent, surrogate parent, or a guardian under 34 CFR 300.30. "Parent" does not mean the state when the state has legal guardianship.

For the purposes of this section "adult student" means "adult student" as defined in 20 USC 1232g(d)

ACCESS RIGHTS

The Districts permit parents to inspect and review any education records relating to their child that is collected, maintained, or used by the Districts under RSA 189:66(IV)(a). The Districts will comply with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing under IDEA and its regulations and in no case, more than 45 days after the request has been made.

The right to inspect and review education records under this section includes:

1. the right to a response from the Districts to reasonable requests for explanations and interpretations of the records;
2. the right to request that the Districts provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
3. the right to have a representative of the parent inspect and review the records.

The Districts may presume that the parent has authority to inspect and review records relating to his or her child unless the Districts has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce. Parents will be provided with a copy of the current New Hampshire Special Education Procedural Safeguards Handbook annually.

RECORD OF ACCESS

The Districts keeps a record of parties obtaining access to education records collected, maintained, or used under Part B of IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

RECORD ON MORE THAN ONE CHILD

If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

LIST OF TYPES and LOCATION OF RECORDS

The Districts provide parents on request a list of the types and locations of education records collected, maintained, or used by the Districts. For example, transcripts, grades, disciplinary records will be maintained via the Districts' guidance departments; Student's Individualized Education Plan will be maintained via the Special Services office; etc. Parents may contact the Special Services department for the list of types and locations of education records.

FEEES

A fee may be charged for copies that reflect the actual cost of making a paper copy or the actual cost of the electronic media onto which a copy is placed for delivery. The Districts do not charge a fee to search for or to retrieve information.

AMENDMENT OF RECORDS AT PARENT REQUEST

A parent who believes that information in the education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of their child, may request this information be amended. The Districts will determine whether to amend the information following the request

within a reasonable period of receipt of the request. If the Districts decides to not amend the information following the request, it will inform the parent of the refusal and advise the parent of the right to a hearing.

OPPORTUNITY FOR HEARING

The Districts, on request from the parent, will provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

RESULT OF HEARING

If, as a result of the hearing, the Districts decide that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the Districts will amend the information accordingly and so inform the parent in writing. If, as a result of the hearing, the Districts decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it will inform the parent of the right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the Districts. Any explanation placed in the records of the child under this section

1. is maintained by the Districts as part of the records of the child as long as the record or contested portion is maintained by the Districts; and
2. if the records of the child or the contested portion are disclosed by the Districts to any party, the explanation is also disclosed to the party.

HEARING PROCEDURES

A hearing held under this section is conducted according to the procedures under 34 CFR 99.22.

CONSENT

Except as to disclosures addressed in 34 CFR Part 300.535(b) for which parental consent is not required by 34 CFR Part 99, parental consent is obtained before personally identifiable information is (1) disclosed to anyone other than officials of participating agencies collecting or using the information under 34 CFR Part 300, subject to this section; or (2) used for any purpose other than meeting a requirement of 34 CFR Part 300. The Districts will not release information from education records to participating agencies without parental consent unless authorized to do so under Part 99.

The Districts protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. All persons collecting or using personally identifiable information will receive training or instruction regarding IDEA-B policies and procedures under 34 CFR §300.623(c) and 34 CFR Part 99. The Districts maintain, for public inspection, a current listing of the names and positions of those employees within the Districts who may have access to personally identifiable information.

SAFEGUARDS (34 CFR 300.623):

Each district must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at each district must assume responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must receive training or instruction regarding the state's policy and procedures under 34 CFR 300.123 and 34 CFR part 99. Each district must maintain, for public inspection, a current listing of the names and positions of those employees who may have access to personally identifiable information. The list of employees that have access to Special Education Files is posted on file cabinets in the Special Services office. This list will be updated yearly by the SAU 7 Coordinator of Special Services and also distributed to the special educators in each school building. These lists will then be posted on file cabinets containing all special education records.

DESTRUCTION OF INFORMATION

The Districts inform parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child. The information is destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed shall be maintained without time limitation.

SPECIAL EDUCATION RETENTION OF RECORDS

An LEA may retain and store the student's special education records in electronic form or any other form. An LEA shall provide a parent and/or adult student a written notice of its document destruction policies upon the student's graduation with a regular high school diploma or at the transfer of rights or whichever occurs first.

The LEA shall provide public notice of its document destruction policy at least annually. Additionally, an LEA will notify, publicly, records to be destroyed 7 years after students' graduation. The LEA will maintain a copy of the student's last Individualized Education Plan (IEP).

A private provider of special education may destroy a student's special education records prior to 7 years after a student's graduation if the private provider of special education has sent all of the student's records or copies of such records to the most recent LEA of record. A private provider of special education may retain and store the student's special education records in electronic form or any other form. A private provider of special education shall provide a parent or adult student a copy of its document destruction policy upon the student's discharge from the private provider of special education.

See SAU #7 Districts Policy: [EHB-R Records Retention Schedule](#)

CHILDREN’S RIGHTS (CFR 300.625)

The Districts ensure the rights of privacy afforded to children are consistent with those afforded to parents, taking into consideration the age of the child and type or severity of the disability. The age of majority in New Hampshire is eighteen (18) years, thus parental rights regarding educational records in IDEA and FERPA transfer to students at age 18. The LEA will provide parents and adult students the most current Procedural Safeguards information annually.

If the rights accorded to parents are transferred to a student who reaches the age of majority, the rights regarding education records are also transferred to the student. The LEA will provide any notice required to the student and the parents.

DISCIPLINARY INFORMATION (Ed 1119.02)

The Districts include in the records of a child with a disability a statement of any current or previous disciplinary action that has been taken against the child. Such statements shall be included in, and transferred with the disabled child’s record to the same extent that the disciplinary information is included in, and transmitted with the student records of children without disabilities. The statement may include a description of any behavior engaged in by the child that required disciplinary action, a description of the disciplinary action taken, and any other information that is relevant to the safety of the child and other individuals involved with the child. If the child transfers from one school to another, the transmission of any of the child's records includes both the child's current individualized education program and any statement of current or previous disciplinary action that has been taken against the child.

The school Districts employees who are responsible for ensuring the confidentiality of any personally identifiable information is:

Superintendent of Schools
School Principals
School Assistant Principals
Special Services Coordinator and Administrator

All staff takes online training regarding confidentiality and personally identifiable information at the start of each school year.

SAU #7 Districts Policies : [GBA / JRB Confidential Student Information](#)
[EHB-R Records Retention Schedule](#)
[JRA Student Records & Access - FERPA](#)

FACILITIES, PERSONNEL & SERVICES

Ed 1126.01 (b)(3)

The SAU 7's School Districts shall take steps to ensure that children with disabilities have equal access to the variety of educational programs and services available to non-disabled children. The Districts ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with students who do not have disabilities. Special classes, separate classes, separate schooling, or other removals of students with disabilities from the regular educational environment occur only when the nature or severity of the disability is such that education in regular classes with the uses of supplementary aids and services cannot be achieved satisfactorily. Placement decisions for children with disabilities shall be made on an individual basis by the IEP team and following the procedures described in [the Pupil Evaluation to Placement](#) section.

The Districts shall provide a full range of opportunities, programs, and services to meet the unique needs of children with disabilities in the least restrictive educational setting. The Districts shall ensure that every child with a disability shall have full access to the general curriculum with accommodations and modifications as delineated in the IEP. This includes the provision of non-academic and extra-curricular services. These opportunities shall be provided through public school programs within and outside of the boundaries of the Districts.

The Districts shall provide access to vocational training and transition services as appropriate. Vocational and transition services are provided primarily within the Districts and at the high school level. Other student-specific circumstances may be addressed as determined by the IEP team.

Equipment, Materials, and Assistive Technology

- The Districts shall provide appropriate instructional equipment and material, including assistive technology devices and assistive technology services appropriate to implement each student's IEP.

Personnel Standards

- Teachers of students with disabilities, before employment, shall have valid New Hampshire certification with an endorsement appropriate for the disabilities of the students they serve.
- Additionally, special education teachers within the Districts must meet highly qualified teacher requirements for their respective teaching assignments, as designated by federal and state guidelines.
- All qualified examiners must hold the appropriate license or certification for required assessments.

Programs and Services (Table 1100.3: Continuum of Alternative Learning Environment Ages 6-21 (including age 21) Ed 1111.03

The Districts provides educational services to students with disabilities along a continuum of environments including the following:

Regular Classroom

- A child with a disability attends the regular class with supports and services as required by the IEP

Regular Classroom plus Resource Room Help

A child with a disability attends the regular class and receives assistance in the Resource Room Program.

- When the regular education setting, with accommodations, modifications, supplementary aids, and services is inadequate to meet the needs of a student with a disability, the student may receive assistance (by team agreement) in a resource setting within the public school system for a portion of the school day.
- The student can spend no more than 60% of the school day in this setting.
- Instruction provided in the resource setting will ensure each student continued access to the general curriculum.

Self-contained Special Education Class

- A child with a disability attends a special education class for more than 60% of the day.
- The class is organized either by the needs of the students or by the degree of severity of the disability.
- Self-contained special education classes serve students according to chronological age with a range of not more than four years.
- The number of students in a self-contained classroom can not exceed 12.
- A minimum teacher-student ratio of 1:8 or 2:12 shall be provided unless the severity of disabilities warrants the assignment of additional staff. Maintaining this ratio can be accomplished through the assignment of two teachers or a teacher and a paraprofessional.

Separate Approved Special Education Program/ School

- A child with a disability attends a public or privately operated special education program/ school.

Full-time Residential Programs

- The child attends a privately or publicly approved residential program on a full-time basis.

Home Instruction

- A child with a disability receives all or a portion of her/his special education program at home following Ed 1111.05.

Hospital or Institution

- A child with a disability receives special education while in a hospital or institution.

Preschool Programs (Table 1100.2: Continuum of Alternative Learning Environments Pre-school) Ed 1111.03

Children in preschool programs shall be grouped by age levels with a range of not more than three years. Children with disabilities shall be provided with appropriate special education and related services through the Districts' preschool programs and services.

The maximum number of preschool children in an early childhood special education program shall be **12**, regardless of the number of staff members assigned to the program (Ed 1113.10 (d) (3)).

- **Early Childhood Program:** a preschool child with a disability attends an early childhood program that includes at least 50% nondisabled children.
- **Home:** a preschool child with a disability receives some or all of his/her supports and services in the child's home
- **Early Childhood Special Education Program:** a preschool child with a disability attends an early childhood special education program which can include any of the classrooms described in Ed 1113.10(c)(5).
- **Service Provider Location:** a preschool child with a disability receives supports and services from a service provider
- **Separate School:** a preschool child with a disability attends a publicly or privately operated separate day school facility designed specifically for children with disabilities
- **Residential Facility:** a preschool child with a disability attends a publicly or privately operated residential school or residential medical facility on an inpatient basis.

Home Instruction for School-Aged Children (Ed 1111.05)

A child with a disability receives all or a portion of his/her special education program at home under Ed 1111.05.

- Home instruction for children at least six years of age but less than 22 years of age shall include no fewer than ten hours per week of specially designed instruction as specified in the child's IEP so that the child will progress in the general curriculum and meet IEP goals.

- Home instruction will include related services in addition to the ten hours of specially designed instruction and will be delivered under the NH Rules.
- Home-based programs shall not exceed 45 days in a school year unless individual circumstances warrant an extension to this time. If the IEP team determines that home instruction should be implemented for more than 45 days of a school year, the Districts will complete the following requirements:
 1. Describe, in writing, the specific circumstances resulting in the need for the home instruction;
 2. Develop an IEP which includes all the required elements; and
 3. Develop a written plan for the transition of the child into a less restrictive environment.
- Home instruction shall NOT include parent-designed home education programs as authorized in Ed 315.
- Home instruction shall be implemented by personnel qualified per 34CFR300.156 and Section 2122 in the ESEA.

Facilities and Location

- Instructional areas for children with disabilities shall be located in classrooms with students of a similar chronological age and shall be comparable to other classrooms within the school. They shall be located in facilities that are, in the judgment of the IEP team, in the least restrictive environment.
- The physical space used for classrooms and other instructional programs and school activities for children with disabilities shall be of sufficient size to accommodate program modifications and accommodations necessary to implement the children's IEPs and to provide for all other learning activities.

Length of School Day

- **Preschool level** - The IEP team shall determine the length of the school day for preschool students with disabilities.
- **Elementary/High School**: the school day shall be a minimum of 180 days in each year or the equivalent number of hours approved by the Commissioner of Education, NHDOE, consistent with the provisions of RSA 189:1, 189:2, 189:24, and 189:25 and Ed 306.18-306.21.

When, due to a student's limited physical and/or emotional stamina, the special education placement team recommends a school day of less than the minimum hours listed above, written consent shall be obtained from the Superintendent of Schools and the parent before implementing a shortened school day. A copy of the written consent shall be sent to the State Director of Special Education, a copy to the parent, and another placed in the student's school records. If it would cause a serious adverse effect upon a child's educational progress under RSA 193:1 I(c), the Superintendent shall not excuse a child from the required minimum school day. The Districts' obligation to provide a free and appropriate public education to a

child shall still be in effect even if the child attends school for a shortened school day.

Length of School Year

The Districts shall provide a standard school year of at least 180 days or the equivalent number of hours per ED1113.15 (see above: Length of School Day). Students with disabilities in need of extended school year programming shall be provided for through the requirements described in **the [Pupil Evaluation to Placement section](#)**. Extended School Year Programming shall not be limited only to the summer months.

See SAU #7 Districts Policy: [IC School Year](#)

Supervision and Administration

The Superintendent of Schools, the Special Education Administrator, and the building Principals or their designees, shall supervise the services and programs provided to students with disabilities.

Paraprofessionals shall work under the direct supervision of appropriately certified personnel and be supervised by the professional under whom they work as often as deemed necessary by the Districts, but no less than once each week.

Paraprofessionals shall implement plans designed by the supervising professionals and monitor the behavior of student(s) with whom they work. They may not design or evaluate the effectiveness of programs. A paraprofessional's performance is evaluated through a predetermined performance review process.

Diplomas

The SAU #7 School Districts shall ensure that each child with a disability is entitled to continue in an approved program until such time as the student has earned a regular high school diploma or has attained the age of 22, whichever occurs first, or until the Districts determines that the student no longer requires special education in accordance with **the [Pupil Evaluations to Placement section](#)**.

All children with disabilities in the Districts shall have an equal opportunity to complete a course of studies leading to a regular high school diploma. A regular diploma shall be issued to all students who:

1. successfully achieve the minimum number of 26 credits from Colebrook Academy, 25 credits from Pittsburg High School, or 28.5 credits from Canaan High School,
2. meet specific course requirements as described in the High School Program of Studies, and
3. meet all attendance requirements as stated in the High School Program of Studies (and/or Local Districts Policy).

The term “regular high school diploma” does not include an alternative degree that is not fully aligned with the NH School Approval Standards, such as a certificate or a General Educational Development credential (GED). Any student who receives a diploma/certificate other than the Districts’ regular high school diploma remains eligible to receive a free appropriate public education until he or she reaches age twenty-one or until the IEP Team, through a formal evaluation process, determines that such student is no longer in need of, and thereby not eligible for, special education and related services.

A 20 credit diploma is available for NH students. Requests can be made to the guidance counselor in the student’s high school. Students with extenuating circumstances may earn a minimum credit diploma. This should be discussed with the School Counseling Office. Principal approval is required and the determination of extenuating circumstances is at the discretion of the district. Students may make their request between January of their Junior year and September of their Senior year. Transfer students or students placed in SAU 7 in their Senior year from a district with lower credit requirements for graduation may be eligible for the 20 credit diploma if they are not able to meet the standard of 26 credits with a full course load

See SAU #7 Districts Policies: [IC School Year](#)
[IF Instructional Program](#)
[IFA Instructional Needs of Each Individual Student](#)

PERSONNEL DEVELOPMENT

Ed 1126.01 (4)

The Districts has adopted a Professional Development Master Plan to serve as a basic guideline for the operation of its professional development for the five-year period of July 1, 2021, to June 30, 2026.

The Districts shall work to promote a climate that encourages the continuing education and training of all staff within the Districts. The Professional Development Master Plan shall advance an educational environment in which students receive high exposure to stimulating teachers, instructional materials, and activities. Professional development activities that enhance the knowledge and skills of all staff related to the education of children with disabilities and increase their understanding of the diverse needs of all students shall be offered to all teachers, specialists, paraprofessionals, administrators, and other IEP team members.

A variety of professional development opportunities shall be available to Districts staff, including job-embedded activities, in-service workshops, conferences, and/or formal coursework reimbursed through the Districts.

Professional development initiatives for the current and upcoming school year include:

District-Wide Initiatives:

Find the Professional Development Master Plan on the SAU 7 [website](#).

PLEASE NOTE: Staff members of the school districts shall participate in child-specific training and professional consultation as required to help them understand various types of disabilities and meet the needs of individual students.

PARENT INVOLVEMENT
Ed 1126.01 (b)(5)

The SAU 7 School Districts shall actively involve parents in all steps of the special education process. The term “parent,” means a biological or adoptive parent, surrogate parent, or a guardian under 34 CFR 300.30. In addition to fulfilling legal requirements, the Districts recognize the crucial and irreplaceable role parents play in the education of their children. Therefore, consistent efforts will be placed on keeping parents well informed within the context of a collaborative team process. In part, this is accomplished by the dissemination of Procedural Safeguards Notice and Written Prior Notices.

Procedural Safeguards Notice (Ed 1120)

Parents of a child with disabilities will be given the current [New Hampshire Procedural Safeguards in Special Education](#) describing the procedural safeguards available to them under state and federal law on an annual basis. In addition, parents will be provided a copy of procedural safeguards:

- Upon initial referral or parent request for evaluation
- Upon receipt of the first State complaint and the receipt of the first due process complaint in a school year
- Under discipline procedures
- Upon request by a parent.

Written Prior Notice

Parents will be officially notified in writing any time the Districts:

- proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free and appropriate public education to the child; or

- refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free and appropriate public education to the child.

The notification shall include:

1. A description of the action proposed or refused by the Districts;
2. An explanation of why the agency proposes or refuses to take the action
3. A description of each evaluation, procedure, assessment, record or report the Districts used as the basis for the proposed or refused action;
4. A statement that the parents of the child with a disability have protection under the procedural safeguards of IDEA (if this notice is not an initial referral for evaluation, how a copy of the description of the procedural safeguards can be obtained;
5. Sources for parents to contact to obtain assistance in understanding the provisions of the law; a description of the other options that the IEP team considered and the reasons why those options were rejected, and
6. A description of the other options the team considered and the reasons why they were rejected, and
7. A description of other factors that are relevant to the agency's proposal or refusal.

Ongoing parent involvement is supported through the following actions:

- a. Parents shall receive a formal notification when their child is referred for special services, except in the case where the parent was the referring party. Procedural Safeguards and information regarding the Special Education Process shall be provided to the parent at this time.
- b. Within 15 days of the receipt of the referral, the IEP Team (including the parents) will meet to determine the appropriate course of action.
- c. The IEP Team shall determine if the referral is appropriate and whether there is a need for a comprehensive evaluation. If so, specific evaluations shall be determined by the team. The Districts shall provide Written Prior Notice (WPN) and request written permission to proceed.
- d. The evaluation process, including a written summary report, shall be completed within 60 days after receipt of parental permission for testing or after any extension provided in Ed 1107.01(c). Only one extension of no more than 15 days may be granted in the evaluation process with the written consent of both parties.
- e. Parents shall be included as part of the team which determines whether or not the child qualifies as a child with a disability. The team decision shall be

provided Written Prior Notice to the parent with a request for written approval of the decision.

- f. If a child is determined to be a child with a disability, an IEP will be developed within the next 30 calendar days. As members of the IEP team, parents are encouraged to be active participants in the IEP process. Parent concerns and input shall be considered in the development of the IEP. Written Prior Notice shall be provided to the parent. The parent must provide written approval before the IEP can be implemented.
- g. Upon approval of the IEP, the IEP Team, including parents, shall determine an appropriate placement for the child. Written Prior Notice is again completed and parents must agree in writing to the proposed placement before its implementation.
- h. Parents will receive 10 days' notice for any meetings held to develop or amend the child's IEP and/or determining placement unless the notification requirement is waived in writing by the parent. All IEP Team meeting notices include the purpose, time, location, and participants expected to attend the meeting. The Districts shall take steps to ensure that one or both parents of the child with a disability are present at each meeting of the IEP Team and are allowed to participate. This includes scheduling the meeting at a mutually agreed upon time and place. Parents and the Districts are encouraged to use alternative means of participation, such as video conferencing and conference calls to include the parent.

Meetings will be rescheduled at parent request unless the parent requests that the meeting continues without him or her in attendance. It is recommended that the Districts contact the parent a minimum of three times and document the attempts to secure their participation. If these attempts have been unsuccessful, a meeting may proceed without the parents.

- i. District special education staff shall take whatever steps necessary to ensure that the parents understand the proceedings at the meeting, including arranging for an interpreter for parents who are deaf or whose native language is other than English.
- j. The Districts shall provide copies of all written documents to parents including Written Prior Notice, evaluation summary report, and IEP.
- k. The Districts shall file a request for the appointment of a surrogate parent, to represent a child with a disability, when the parents or guardians are not known, or the student is a ward of the state.

- l. For a student considered to be an unaccompanied homeless youth, as defined in the McKinney-Vento Homeless Assistance Act, who is or may be a youth with an educational disability, the Districts shall immediately enroll the child in school to attend classes and participate fully in school activities. The Districts' local homeless education liaison shall have no more than 30 days from the initial date of school enrollment to appoint a surrogate parent for the unaccompanied homeless youth.
- m. A parent, as defined in Ed 1102.04 (h) or an adult student may authorize an individual to act on their behalf according to a duly executed power of attorney. (Ed 1120.01 (c))
- n. The Districts have the authority to initiate court proceedings to authorize the initial provision of services, but a due process hearing may not be used in this circumstance. (Ed 1120.05 (d)) (If a parent refuses consent for the initial provision of special education services, the Districts shall not pursue the initial provision of special education services by initiating a due process hearing under Ed 1123. The Districts shall have the authority to initiate court proceedings to authorize the initial provision of special education services.)
- o. Districts shall obtain informed parental consent annually and when there is a change in services paid for by public insurance. Parents may refuse permission, but this does not relieve the Districts of its responsibility to provide services detailed in the IEP.(Ed 1120.08 and Ed 1120.08 (a))
- p. The Districts, upon a written request for an IEP team meeting by the parent, guardian, or adult student shall: schedule a mutually agreeable time and date for the meeting, convene the IEP team on the mutually agreed upon time and date, or provide to the parent/guardian/adult student with written prior notice detailing why the Districts refuses to convene the IEP team that the parent, guardian, or adult student has requested. (Ed1109.06 (b)).
- q. The LEA must initiate the appointment of a surrogate parent under certain circumstances per Ed 1115.

PUBLIC PARTICIPATION

Ed 1126.01

A copy of the SAU #7 School Districts' Special Education Plan shall be available for review by parents, other agencies, and the general public. Copies of the Plan shall be located at the SAU office, special education office, all Elementary schools, and all Middle/High Schools in the Districts.

The Special Education Plan shall be reviewed and revised as necessary under the supervision of the Special Education Administrator. When the plan is under review, the public shall be notified and given a minimum of 30 days to review the information and provide written input.

Notice regarding the availability of this plan and its revisions shall be disseminated to the public through formal school Districts postings and notices in local newspapers.

Each year, the SAU 7 School Districts submits its “Annual Request for Federal Special Education Funds” to the NH Department of Education for approval. The Districts shall provide reasonable opportunities for the participation of teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of this program.

PROCEDURAL SAFEGUARDS

34 CFR 300.504; Ed 1126.07(b)(7); Ed 1120

The Individuals with Disabilities Education Act (IDEA) includes a section entitled "Procedural Safeguards". These safeguards are designed to protect the rights of children with disabilities and their parents. They also provide families and schools the means for resolving disputes that may arise throughout the special education process.

The SAU 7's School Districts shall provide a copy of the current [New Hampshire Procedural Safeguards in Special Education](#) to the parents of a child with a disability one time per year. This is typically done at each annual IEP team meeting. A copy shall also be given to the parents upon:

1. Initial referral for evaluation or parental request for an evaluation;
2. The first time in a school year that a request for a due process hearing is filed;
3. The first time in a school year that a complaint is filed;
4. The date in which the decision is made to make a removal that constitutes a change in the placement of a child with a disability because of a violation of a code of student conduct, following the discipline procedures in 34 CFR 300.530(h); and
5. upon request by the parent.

The Districts shall ensure that the parents of children with disabilities are afforded all of the rights and procedural safeguards contained in federal law and described in the [NH Rules](#) (Ed 1120.01-.08) including, but not limited to, the right to:

- Receive written prior notice of any action regarding their child which the Districts propose or refuses;
- Grant or refuse consent for any Districts action regarding their child;
- Obtain an independent educational evaluation;
- Appeal specific proposals of the Districts regarding their child, and
- File a complaint

All of the rights and guarantees included under procedural safeguards shall apply to parents, adult students, and public agencies, which include school districts. These rights shall be transferred to children with disabilities who are emancipated minors or who have attained the age of 18 years and have not been adjudicated as incompetent by a court.

A parent, as defined in Ed 1102.04(h), or an adult student may authorize an individual to act on their behalf according to the five years per a duly executed power of attorney (Ed 1120.01 (c))

See Districts Policy: ACE Procedural Safeguards: [Non-Discrimination on the Basis of Handicap/Disability](#)

Written Prior Notice

Parents will be officially notified in writing any time the Districts:

- proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free and appropriate public education to the child; or
- refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free and appropriate public education to the child

The notification shall include:

1. A description of the action proposed or refused by the Districts
2. An explanation of why the agency proposes or refuses to take the action
3. A description of each evaluation, procedure, assessment, record or report the Districts used as the basis for the proposed or refused action;
4. A statement that the parents of the child with disabilities have protection under the procedural safeguards of IDEA (if this notice is not an initial referral for evaluation, how a copy of the description of the procedural safeguards can be obtained;
5. Sources for parents to contact to obtain assistance in understanding the provisions of the law; a description of the other options that the IEP team considered and the reasons why those options were rejected and
6. A description of other options that the IEP team considered and the reasons why those options were rejected; and
7. A description of other factors relevant to the Districts' proposal or refusal.

Informed Consent

The Districts shall obtain informed, written consent from the parent of a child with a disability before:

- conducting an initial evaluation,
- initial provision of special education and related services to a child with a disability, annual renewal of the IEP and placement of a child with a disability,
- determining or changing the disability classification,
- changing the nature or extent of the special education or special education and related services, or
- conducting a re-evaluation
- access to public insurance according to 34 CFR 154(d); and
- each time the Districts proposes to access the public insurance

Parents of children with disabilities shall have 14 days after the receipt of written prior notice to sign documents included with the notice to indicate consent, consent with conditions, or denial of consent. The 14-day time limit shall be extended if the Districts and parents mutually agree to an extension.

The Districts shall advise the parent in writing of the necessity of signing documents that describe actions requiring the parent's consent for ensuring the timely provision of appropriate services. Additionally, the Districts shall advise the parent of the right to access all of the rights and procedures outlined in this section if the parent disagrees with a proposal that the Districts makes.

The Districts shall take reasonable measures to obtain consent including, but not limited to phone contact, and letters. The Districts shall document all contacts made or attempted and the results of these contacts. Copies of all letters and responses received shall be kept in the student's confidential file.

A copy of any document the parent gives consent to in writing shall be provided to the parent, and a copy of such document shall also be placed in the child's educational records.

Should a parent either deny consent or not responds to a request for written consent, the Districts are required to respond in the following ways:

Initial evaluation

The Districts are required to obtain informed consent for the initial evaluation. If a parent refuses to consent to a proposal included in Ed 1120.04(a)(1) the Districts shall have the authority to pursue the initial evaluation by the initiation of a due process hearing under Ed 1123. (Ed 1120.05 (c))

Initial provision of services

The Districts are required to obtain informed consent for the initial provision of services. If a parent refuses consent for the initial provision of special education services, the Districts shall not pursue the initial provision of special education services by initiating a due process hearing under Ed 1123.

Parental Revoking of Consent

If at any time after the initial provision of special education and related services, that parent of a child revokes consent in writing for the continued provision of special education and related services, according to 34 CFR 300.300(b)(4) the school Districts: 1) may not continue to provide special education and related services to the child; 2) provide written prior notice before ceasing the provision of special and related service; 3) may not use the mediation or due process procedures to obtain an agreement or ruling that the service may be provided to the child; 4) may not be considered in violation of the requirement to make FAPE available to the child and; 5) need not convene the IEP Team meeting or develop an IEP for the child.

If a parent refuses to consent to a proposal included in Ed 1120.04(a)(1) the Districts shall have the authority to pursue the initiation of a due process hearing under ED 1123. (Ed 1120.05 (c))

Re-evaluation and Continuation of Services

The Districts are required to obtain informed consent for both the re-evaluation and continuation of services. If the parent fails to respond to the request for consent, the Districts shall implement the proposed changes after the Districts have taken reasonable measures to obtain informed written consent. If the parent refuses consent for a re-evaluation or the continuation of services, the Districts shall pursue the reevaluation or continuation of services through dispute resolution processes.

Other Consent areas

Public Insurance - The Districts must obtain informed parental consent (once), the first time the Districts seek to access the child's public insurance. The Districts must provide an annual notification under 34 CFR 300.154(d)(2)(v). The annual notification includes a withdrawal of consent provision. The withdrawal of consent provision terminates the Districts' authority to access the child's state public benefits or insurance program. This withdrawal of consent provision is effective upon the Districts' receipt of the parent's signed withdrawal. The Districts must notify the parents that the refusal to allow access to their public insurance does not relieve the Districts of its responsibility to ensure that all required services are provided at no cost to the parents. The Districts may not initiate dispute resolution processes if a parent refuses to grant consent.

Private Insurance-The Districts must obtain informed parental consent each time it proposes to access private insurance and notify the parents that the refusal to allow

access to their private insurance does not relieve the Districts of its responsibility to ensure that all required services are provided at no cost to the parents.

Release of Records - The Districts must obtain informed consent for the release of education records. If the parent refuses to consent, the Districts may initiate a court proceeding to obtain a court order for the release of information.

Independent Educational Evaluation

Parents shall have the right to request an independent evaluation at the Districts' expense if they disagree with an evaluation conducted by the Districts. If parents request an independent educational evaluation at public expense, the Districts shall either initiate a due process hearing to show that its evaluation is appropriate or ensure that an independent educational evaluation is provided at public expense, unless it has demonstrated at a hearing that the evaluation obtained by the parent does not meet the Districts' criteria.

The Districts may ask for the reason why parents object to the Districts' evaluation; however, the explanation shall not be required and the Districts shall not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the Districts' evaluation.

If a parent obtains an independent educational evaluation at private expense, the Districts shall consider the results of the evaluation if it meets the Districts' criteria. If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the Districts uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation. Results of an independent evaluation obtained at parents' expense may be presented as evidence at a hearing regarding the child.

Appeal Decisions

The parent shall have the right to appeal any decision of the Districts or IEP team regarding the referral, evaluation, determination of eligibility, IEP, provision of a free and appropriate public education, or placement of a child with a disability using the procedures detailed in the [NH Rules](#) - Ed 1122.

A due process hearing can be initiated by either party at any time and will be conducted following the [NH Rules](#) - Ed 1122. Alternative dispute resolution shall be voluntary and available to parents and the Districts following the [NH Rules](#)

File Complaint

Individuals or organizations may report alleged violations of a public agency that are contrary to the provisions of state and federal requirements regarding the education

of children with disabilities by filing a complaint. A complaint shall be filed according to the [NH Rules-Ed1121](#).

Low-Cost or Free Legal and Other Relevant Service in New Hampshire

Disabilities Rights Center, Inc.

P.O. Box 3660
Concord, NH 03302-3660
228-0432 (toll-free 1-800-852-3336)

New Hampshire Legal Assistance (Central Administration Office)

15 Green Street
Concord, NH 03301
225-4700

New Hampshire Legal Assistance

Simeon Smith House
The Hill
P.O. Box 778
Portsmouth, NH 03802-0778
431-7411 (toll-free 1-800-334-3135)

New Hampshire Bar Assoc. Pro Bono Referral System

112 Pleasant Street
Concord, NH 03301-2947
224-6934 (toll-free 1-800-639-5290)

Parent Information Center

P.O. Box 1422
Concord, NH 03302-1422
224-7005

New Hampshire State Department of Education, Special Education Department

101 Pleasant Street
Concord, NH 03301
271-3741

Special Education Mediation

NH State Department of Education
101 Pleasant Street
Concord, NH 03301
271-2299

IEP Meeting Facilitation

NH State Department of Education
101 Pleasant Street
Concord, NH 03301
271-3741

See SAU #7 Districts Policy: [ACE Procedural Safeguards: Non-Discrimination on the Basis of Handicap/Disability](#)

PUPIL EVALUATION TO PLACEMENT Ed 1126.01(b)(8)

The SAU 7 School Districts implements the Special Education Process utilizing the following sequence:

- a) Pre Referral
- b) Referral
- c) Evaluation
- d) Determination of eligibility
- e) Development and approval of IEP;
- f) Placement
- g) Ongoing monitoring of the IEP; and
- h) Annual review of the IEP

PRE REFERRAL

If teachers become concerned about a child's academic progress or behavioral/social-emotional progress initiating a Pre-Referral is recommended. This process should be implemented before any 504 or special education referral is made (When concerns are related to extreme developmental, speech and language, an extreme medical issue impacting participation in school, or OT the pre-referral process should be skipped, and special education or 504 referral should be made). *Parents should be contacted and the concerns discussed before any pre-referral is initiated.*

This process entails completing a pre-referral form indicating the concerns, what has worked and what hasn't, and current District-wide assessment data. Behavior or observational data may also be included. This form is then submitted to the building designee who will initiate a pre-referral meeting. This meeting will consist of school staff as well as the family. During the meeting, the team will develop a plan for strategies to implement as well as make decisions around who will be responsible for the implementation of each strategy (examples- teaching emotional regulation skills, counselor or breaking down tasks into smaller steps, teacher). This team will implement the plan and then meet again 3-4 weeks later to review if progress has been made. If progress has been made the plan will continue to be followed (could be adjusted if this is seen as a need). If progress has not been made

the team will decide whether the plan just needs adjustment or if a special education or 504 referral should be made.

REFERRAL (Ed 1106)

Any student ages 2.5 to (and including) 21 years suspected of having a disability may be referred to the Districts by parents, District personnel, or any other concerned party. A child's parents may also contact their child's teacher(s) or other school professionals to request an evaluation. This request may be verbal or in writing; however, parents will be asked to place their request in writing and submit it to the building principal (or designee). Assistance in completing this written request shall be available to parents upon request.

Upon receipt of a referral from someone other than a parent, and before the evaluation of a child suspected of being a child with a disability, the Districts shall immediately send written notification of the referral to the parent. Procedural Safeguards, and any other relevant information your Districts provide parents, will be included with the parent notification. Additionally, for those who sign off to receive electronic communication, an email invitation with the referral attached will be sent.

A meeting will be scheduled and held within 15 calendar days of receipt of the referral to review the referral and determine the appropriate course of action. At a minimum, the following people shall be invited to be part of the referral team:

- One or both of the student's parents, guardian, and/or surrogate parent
- A representative of the School Districts other than the student's teacher who is qualified to provide or supervise the provision of special education services
- Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
- Not less than one special education teacher or, when appropriate, not less than one special education provider of the child
- The student (if on the age of majority) and where otherwise appropriate
- Other individuals at the discretion of the parent or School Districts who have knowledge or expertise.
- When referrals are submitted for students not attending the traditional public school setting the following will be invited: The SAU 7 coordinator of special services, family/guardians, and representatives of the school being attended, and all other concerned parties. The SAU 7 special services department will gather information from families and the school setting to determine who the representatives should be.

This Districts' representative shall be qualified to provide or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities, knowledgeable about the general curriculum, and knowledgeable about the availability of Districts resources.

The team will review concerns raised in the referral and decide which of the following actions should occur.

1. **Determination that student is not suspected to be a child with a disability**
 - a. The IEP team considers information available, including parent concerns, and determines that no evaluation is needed.
 - b. The IEP team may recommend intervention strategies to be used in the regular class or other District options (*SAT Team; 504 Team, etc*).
 - c. The IEP team shall document its decision in meeting notes and Written Prior Notice.

2. **Determination that child may be a child with a disability**
 - a. The IEP team considers information available, including parent concerns, and determines that further evaluation is needed to address concerns and determine if the child is eligible for special education and related services.
 - b. The IEP team may request additional information from outside sources. Parents will be asked to provide written consent for the Districts to obtain this information.
 - c. The IEP team shall document its decision(s) in meeting notes and Written Prior Notice, and request written parental consent for evaluation.

In either situation, if the child's parent disagrees with the team's disposition of the referral, the parent or Districts may activate the due process procedures (described in **Appendix B – [Complaint/Dispute Resolution Procedures](#)**; Ed 1120). The Districts shall comply with federal and state law and regulations when accepting referrals and transitioning children from early supports and services programs to preschool programs.

EVALUATION (Ed 1107)

When the team determines that additional information is necessary, a full and individual evaluation is provided to determine if the child is a "child with a disability" and to determine the educational needs of the child. The IEP team plans initial evaluations and reevaluations, and parents are active participants in the evaluation planning process. Evaluations will be provided based on the suspected

disability (or disabilities) and following the NH Rules. The child's educational history shall be reviewed, including identification of the child's past opportunities to have acquired important skills and information.

The Districts shall comply with state and federal laws and regulations relative to initial evaluations, evaluation procedures, and re-evaluations, including the additional procedures required for evaluating children with specific learning disabilities.

Written parental consent is required for the Districts to conduct evaluations as a part of an eligibility determination. If a parent refuses to consent to a proposal included in Ed 1120.04(a)(1) the Districts shall have the authority to pursue the initiation of a due process hearing under ED 1123. (Ed 1120.05 (c)) Written parental consent shall also be required for individual evaluations that are necessary to further diagnose the needs of a child who has previously been determined to be a child with a disability.

The Districts shall complete all evaluations within 60 calendar days of receipt of written consent from the parent. When circumstances warrant the additional time to complete evaluations, only one extension of UP TO 15 days may be granted upon written consent of the parties (only for a catastrophic emergency or when a family is unable to present the child for evaluation). A copy of this written agreement will be placed in the child's confidential file with the signed permission to test. When an extension is requested, the team shall make every effort to complete the evaluation in the shortest amount of time possible.

If a child with a disability moves into the Districts from another NH District his/her disability identification will be honored without delay.

If the child is moving into the Districts from another state, an IEP team meeting will be convened as soon as possible to review the types of evaluations that have previously been conducted and to plan any further evaluations necessary to determine eligibility following the NH Rules. If evaluations are not sufficient or current, further evaluations will be conducted as per team agreement. Formal eligibility as a child with a disability, as defined in the NH Rules, shall be determined within 60 calendar days of receipt of parental permission to evaluate. The student will receive special services following the out-of-state IEP during this interim period.

The Districts shall ensure that evaluation materials and instructions are presented in the child's native language or other modes of communication and in the form most likely to yield information on what the child knows, and can do academically, developmentally, and functionally, unless it is not feasible. Standardized tests and materials in the child's native language shall be used whenever possible. If it is not possible to administer a test in this manner, the test will not be used. Evaluation

materials and assessments shall be chosen based on the child's ability so as not to be discriminatory on a racial or cultural basis.

Examiners shall be responsible for selecting current assessment tools that have been demonstrated to be reliable and valid. The Districts shall periodically review and consistently update test materials to the most current editions. Examiners shall be expected to use all test materials for their intended purpose. If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the evaluation report. The Districts shall ensure that all evaluators are qualified according to the NH Rules. (See Table 1100.1) Each evaluator shall prepare a test report reflecting the data and their conclusions.

DETERMINATION OF ELIGIBILITY (Ed 1108)

Upon the completion of the administration of tests and other evaluation materials, a team of qualified professionals and the parent of the child will meet to review the results and recommendations of the evaluations and to determine whether the child is a child with a disability and that the child requires specialized instruction. At this meeting, team members will draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. They must ensure that the information obtained from all of these sources is documented and carefully considered. The team will complete a written summary containing the results of the various diagnostic findings and forward a copy of the report to the parent and maintain a copy for the child's records. The report shall include, at a minimum:

1. The results of each evaluation procedure, test record, or report;
2. A written summary of the findings of the procedure, test, record, and/or report; and
3. Information regarding the parent's rights of appeal per the NH Rules - Ed 1120 and a description of the parent's right to an independent evaluation following the NH Rules - Ed 1107.03.

Upon request from parents, the Districts shall provide access to test results and other relevant educational records 5 days before the IEP team meeting. (Ed 1107.04 (d))

A child may not be determined to be eligible if the determining factor for that eligibility decision is lack of instruction in reading or math, limited English proficiency, or the child does not otherwise meet the eligibility criteria under state guidelines. If a determination is made that a child has a disability and needs

special education and related services, a meeting to develop an IEP shall be conducted within 30 calendar days of the eligibility meeting.

Additional Procedures for Evaluating Children with Specific Learning Disabilities (CFR 300.307)

See SAU #7 Policy: [IHBAAA Evaluation requirements for Children with Specific Learning Disabilities.](#)

Evaluation requirements for Children with Specific Learning Disabilities (Ed. 1107.02)

- (a) For purposes of evaluating whether a child has a specific learning disability one or more of the following criteria shall be used:
- (1) A discrepancy model between intellectual skills and achievements;
 - (2) A process that determines if the child responds to scientific, research-based intervention as part of the evaluation procedures described in 34 CFR 300.307 (a)(2); and
 - (3) Other alternative research-based procedures as described in 34 CFR 300.307 (a)(3),
- (b) Each district shall adopt a policy describing the evaluation procedures and standards that will be used to evaluate whether a child has a specific learning disability.

When a child is suspected of having a specific learning disability, the Districts shall comply with the additional evaluation requirements for this disability category.

A. A group may determine that a child has a specific learning disability if

1. The child does not achieve adequately for his/her age or to meet State-approved grade-level standards in one or more of the following areas when provided with learning experiences and instruction appropriate for the child's age or State-approved grade-level standards:
 - Oral Expression
 - Reading Fluency Skills
 - Listening Comprehension
 - Reading Comprehension
 - Written Expression
 - Mathematics Calculation
 - Basic Reading Skills
 - Mathematics Problem Solving
2. The child does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the areas identified above when using a process based on his or her response to scientific, research-based intervention, or

3. The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments, and
4. The group determines that the evaluation findings are not primarily the result of:
 - A visual, hearing, or motor impairment;
 - Intellectual disability;
 - Emotional disturbance;
 - Cultural factors;
 - Environmental or economic disadvantage; or
 - Limited English proficiency.

The NHDOE clarifies that the initial evaluation of a child suspected of having a learning disability requires an intelligence test. Also required: academic achievement, observation, vision, and hearing.

5. Teams must consider the student's achievement measured against expectations for the child's age and grade-level standards/expectations set by the state.

- B. To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of its evaluation:
1. data that demonstrate that before, or as a part of, the referral process, the child was provided appropriate instruction in regular education settings delivered by qualified personnel; and
 2. data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.
- C. The Districts shall promptly request parental consent to evaluate the child to determine if the child needs special education and related services, and shall adhere to the established timeframes (unless extended by mutual written agreement of the child's parents and the Districts)
1. if, before a referral, the child has not made adequate progress after an appropriate period allowed before when provided instruction; and
 2. whenever a child is referred for an evaluation.

Observation:

- A. At least one team member other than the child's regular teacher shall observe the child's academic performance in the regular classroom setting.
- B. The Districts must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.
- C. In the case of a child of less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.

Written Report:

- A. For a child suspected of having a specific learning disability, the documentation of the team's determination of eligibility shall include a statement of:
 - 1. Whether the child has a specific learning disability;
 - 2. The basis for making the determination;
 - 3. The relevant behavior noted during the observation of the child;
 - 4. The relationship of that behavior to the child's academic functioning; and educationally relevant medical findings, if any;
 - 5. Whether the child does not achieve adequately for the child's age or to meet State-approved grade-level standards; and the child does not make sufficient progress to meet age or State-level standards, or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, State-approved grade-level standards or intellectual development.
 - 6. The determination of the group concerning the effects of visual, hearing, or motor disability; mental retardation; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level (300.311); and
 - 7. If the child has participated in a process that assesses the child's response to scientific, research-based intervention- strategies use, data collected, strategies for increasing learning, and parents right to request an evaluation
- B. Each team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her concerns.

RE-EVALUATION

The Districts shall ensure that a reevaluation of each child with a disability is conducted at least once every three years or sooner if the child's parent or teacher requests a re-evaluation.

The IEP team, including parents as active participants and other qualified professionals as appropriate, shall plan re-evaluations. The Team may determine

that previous assessments used to determine eligibility are still considered to be valid. Such decisions must be documented in the Written Prior Notice form.

INDEPENDENT EDUCATIONAL EVALUATIONS (Ed 1107.03)

Parents of a child with a disability have the right to obtain an independent educational evaluation at public expense if they disagree with an evaluation conducted by the Districts. If parents request an independent educational evaluation at public expense, the Districts: shall either initiate a due process hearing to show that its evaluation is appropriate or ensure that an independent educational evaluation is provided at public expense, unless it has demonstrated at a hearing that the evaluation obtained by the parent does not meet the Districts' criteria.

The Districts may ask for the reason why parents object to the Districts' evaluation; however, the explanation shall not be required and the Districts shall not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the Districts' evaluation.

If a parent obtains an independent educational evaluation at private expense, the Districts shall consider the results of the evaluation if it meets the Districts' criteria. If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the Districts uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation. The agency criteria, determined by the Districts, shall not be so restrictive that it effectively prohibits parent choice Ed 1107.03(c)). Results of an independent evaluation obtained at parents' expense may be presented as evidence at a hearing regarding the child.

DEVELOPMENT OF THE INDIVIDUALIZED EDUCATION PROGRAM (IEP) (Ed 1109)

A meeting to develop an Individualized Education Program (IEP) for the child shall be conducted within 30 calendar days of a determination that the child needs special education and related services. For previously identified children with disabilities, the IEP must be in place at the beginning of the school year.

The Districts shall take steps to ensure that one or both of the child's parents attend each IEP meeting or are afforded the opportunity to participate. IEP meetings will be scheduled during the day at a mutually convenient time and place. The Districts shall ensure that parents of a child with a disability receive written notice no fewer than 10 calendar days before an IEP meeting is to occur. The notice shall include the purpose, time, location, and identification of the participants. The 10-day notice requirement may be waived with the written consent of the parent or upon the

written request of the parent. If the parent is unable to attend a meeting, they may ask for it to be rescheduled or held in a different location. The Districts shall consider alternative ways for a parent to participate if he or she is not able to physically attend a meeting, such as a telephone conference call. If for some reason parents cannot take part in scheduled meetings, documentation of the attempts made to include the parent shall be kept.

THE IEP TEAM (Ed1103.01 (a))

A team approach shall be used to develop an IEP for each child with a disability. The IEP team shall include*:

1. The parents of the child
2. Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
3. Not less than one special education teacher of the child, or, where appropriate, not less than one special education provider of the child
4. A representative of the public agency who
 - b. Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities
 - c. Is knowledgeable about the general curriculum; and
 - d. Is knowledgeable about the availability of resources of the public agency
5. An individual who can interpret instructional implications of evaluation results,
6. Other individuals who have knowledge or special expertise regarding the child (at the discretion of the parent or school Districts),
7. Transition service representative if applicable
8. If appropriate, the child.

A team member may be excused from the whole or part of the meeting if the parent and the Districts agree the member's area of the curriculum or related services is not being modified or discussed. The Districts or parents shall notify the other party **72 hours** before a scheduled meeting or upon learning of the expected absence of a team member, whichever is earlier. (Ed 1103.01 (d))

The team member may be excused only if the parent and the Districts provide written consent to the excusal. The team member must submit written suggestions about the development of the IEP to the parent and IEP team prior to the meeting.

In the case of a child who was previously provided services Early Supports and Services (Part C of the IDEA), an invitation to the initial IEP Team meeting shall, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.

Team members may, at times, fulfill more than one role. IEPs shall be developed collaboratively and include all necessary components as designated in state and federal laws and regulations. Transition goals, related services, and/or supports shall be included in the discussion and incorporated into the IEP as appropriate. This includes transition to adult life as well as transitions from grade to grade, school to school, or from one agency to another. Necessary support to ensure successful transitions will be documented.

When a vocational education component is being considered for a child with a disability, vocational assessment(s) shall be administered to the child by diagnosticians qualified as specified by the publisher of the assessment. The IEP team membership shall include an individual knowledgeable about the vocational program(s) being considered. If the IEP team determines that vocational education is to be provided, a vocational education component shall be included as an integral part of the IEP. Goals and objectives, as well as any appropriate accommodations and/or modifications, will be developed for the IEP unless the student will participate in the vocational class/program without the need for modifications. Transition goals related to vocational programming will be reflected in the Individual Transition Plan and the summary of the child's academic achievement and functional performance (completed before graduation from secondary school with a regular diploma or exceeding the age of eligibility for FAPE).

The Districts shall ensure that each child with a disability has access to appropriate instructional equipment and materials for the proper and timely implementation of the IEP, including assistive technology devices or aids.

The Districts shall provide each teacher and service provider listed as having responsibilities for implementing the IEP with a copy of the complete IEP for working and monitoring purposes. In addition, the Districts shall provide a private school or non-Districts provider responsible for implementing the IEP with a copy of the IEP on or before the first day of placement.

The NHDOE interprets this to mean a paper copy. (Ed 1109.04)

The Districts shall maintain written evidence documenting the implementation of the child's IEP, including, but not limited to (Ed 1109.04 (b):

1. all special education and related services provided;
2. any supplementary aids and services provided;
3. program modifications made; and
4. supports provided for school personnel implementing the IEP.

The IEP team shall determine the appropriate duration of an IEP, which shall not exceed 12 months. The IEP shall be reviewed at least annually and, if necessary, revised. The Districts shall conduct annually, at or near the end of the term of the

IEP, a meeting to assess the effectiveness of the present program and to design an IEP, including Extended Year Services is determined by the IEP team to be necessary for FAPE.

The Districts shall seek to obtain informed consent from a parent on the IEP before providing special education and related services to a child.

If at any time after the initial provision of special education and related services, the parent of the child revokes consent in writing for the continued provision of special education and related services, the Districts:

- may not continue to provide special education and related services to the child;
- will provide written prior notice before ceasing the provision of special education and related service;
- will not use the mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child;
- will not be considered in violation of the requirement to make FAPE available to the child; and
- need not convene an IEP Team meeting or develop an IEP for the child.

If a parent refuses to consent to the provision of special education and related services other than the initial provision of such services, the Districts shall initiate a due process hearing as specified in Ed 1123.

At any time, the parent or District can request another meeting to discuss any areas of concern regarding provisions in the IEP.

IEP DEVELOPMENT FOR STUDENTS WHO TRANSFER

If a child with a disability who had an IEP that was in effect in a previous New Hampshire school Districts transfers to the SAU #7 School Districts during the same year, the Districts shall consult with the child's parents and provide services comparable to those described in the child's IEP from the previous Districts, until it either adopts the child's previous IEP or develops, adopts and implements a new IEP for the student.

If a child with disability transfers from a District outside of New Hampshire, the SAU #7 School Districts shall additionally determine if an evaluation is necessary to complete the previously described IEP process for the new student. The Districts shall provide a free appropriate public education, including services comparable to those described in the child's IEP from the previous Districts during this process.

MONITORING AND RE-EVALUATION (Ed 1109.06)

The Districts shall develop and implement procedures to ensure that IEPs are monitored regularly and systematically. Student progress shall be monitored

continually so that adjustments can be made as needed to ensure that each student is progressing adequately toward the goals and benchmarks/objectives in his or her IEP. Progress shall be monitored following the IEP through a variety of means such as consultation, observation, work samples, and post-testing. Parents will be notified of their child's progress throughout the year at least as often as parents of children without disabilities are notified of their child's progress. If a student is not progressing adequately toward the goals and benchmarks/objectives in the IEP, a meeting shall be called to discuss possible IEP or program adjustments that may facilitate progress. Conversely, if a student has met or exceeded the goals and benchmarks/objectives in the IEP, the IEP will be amended to reflect new goals.

The IEP team may be reconvened at any time to review the provisions of the IEP. The Districts shall, upon a written request for an IEP team meeting, schedule a mutually agreeable time and date, convene the IEP team, or provide the parent/guardian/adult student with written prior notice detailing why the Districts refuse to convene the requested meeting. All of the above must be completed within 21 days.

Both IDEA (34CFR300.324 (a)(4)) and NH Rules allow the parents and Districts to agree to amend or modify the IEP without a meeting and to develop a written plan to amend or modify the IEP which must be shared with all EP team members.

PLACEMENT OF CHILDREN WITH DISABILITIES

The Districts shall ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities shall be educated with children who do not have disabilities. Special classes, separate classes, separate schooling, or other removals of children with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the uses of supplementary aids and services cannot be achieved satisfactorily.

IEP Team

The IEP Team (including the parents) shall make placement decisions under state and federal laws and rules. For each child with a disability, the IEP team shall include*:

1. The parents of the child
2. Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
3. Not less than one special education teacher of the child, or, where appropriate, not less than one special education provider of the child
4. A representative of the public agency who
 - a. is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities
 - b. is knowledgeable about the general curriculum; and

- c. is knowledgeable about the availability of resources of the public agency
5. Other individuals who have knowledge or special expertise regarding the child (at the discretion of the parent of school Districts),
6. Transition service representative if applicable
7. If appropriate, the child.

Placement Decisions (Ed 1111)

The decision where a child with a disability receives supports and services shall occur after the development and approval of the individualized education program (IEP). The placement decision shall be based on the unique educational needs of the child as specified in the individualized education program and the requirements for placement in the least restrictive environment.

In making placement decisions, the IEP team shall:

1. Draw upon information from a variety of sources, including but not limited to aptitude and achievement tests and teacher recommendations;
2. Consider information about the student's physical condition, social or cultural background, and adaptive behavior;
3. Ensure that information obtained from all of these sources is documented and carefully considered;
4. Ensure that the placement decision is made by a group of persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
5. Each district shall ensure that to the maximum extent appropriate, children with disabilities, including children in public or private providers of special education, are educated with children who do not have disabilities and that, consistent with 34 CFR 300.114, special classes, separate schooling, or other removals of children with disabilities from the regular educational environment occurs only when the nature or the severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
(Ed 1111.01 (a))

The Districts shall offer a continuum of alternative learning environments from least restrictive to most restrictive. These learning environments shall range from regular classes to a home environment and shall be available for children with disabilities including children of preschool age. Supplementary services shall be provided in conjunction with regular class placement.

Each child's educational placement shall be reviewed annually and shall be based on his/her individualized education program (IEP). The placement shall be as close

as possible to the child's home. If possible, a child with a disability shall be educated in the school he/she would attend if a disability did not exist. The least restrictive environment shall be selected with consideration given to any potentially harmful effects to the child or on the quality of services described in the child's individualized education program.

The Districts shall ensure that children with disabilities participate with non-disabled peers, to the maximum extent possible, in non-academic activities such as recess, lunch, and specials (art, music).

The Districts shall ensure that parents are afforded the same notification for placement meetings as they receive for IEP meetings, including a minimum of the 10-day notice unless the 10-day notice requirement is waived in writing. Special education placements shall require written consent from parents before implementation, and shall be determined at least annually.

Graduation from high school with a regular high school diploma shall constitute a change in placement, requiring written prior notice and parental consent. Graduation from high school with a regular high school diploma does not, however, require evaluations to discharge from special education services. A summary of performance shall be developed by the student, IEP team, and parents to facilitate information sharing after the student leaves school.

EXTENDED SCHOOL YEAR SERVICES (ESY) (Ed 1110)

Extended school year services are special education and related services provided to a child with a disability beyond the normal school year and following the child's IEP, and at no cost to the parents of the child. The Districts shall ensure that ESY services will be available as necessary to provide each child with a disability a free, appropriate public education.

The child's IEP team shall determine the child's need for extended school year services. The Districts shall not limit extended school year services to particular categories of disability or unilaterally limit the type, amount, or duration of those services. The Districts shall provide extended school year services at times during the year when school is not in session, if determined by the IEP team to be necessary for the provision of FAPE, and shall not limit ESY services to the summer months.

NOTE: ESY services provided in non-special education or non-Districts programs shall be supervised on-site by appropriately certified Districts personnel no less than once a week. (Ed 1110.01 (c)) The certification requirements for ESY personnel are the same as during the school year.

CONTINUUM OF EDUCATION ENVIRONMENTS

The following is a list of the educational environments to be considered when making placement decisions after the agreement to the Individualized Education Program (IEP). The IEP Team shall keep in mind that all children with disabilities must be placed in the least restrictive environment for implementing the student's specialized instruction as detailed in their IEP.

Regular Education Setting: A child with a disability attends regular class with supports and services required in the IEP.

Resource room: A child with a disability attends a regular class and receives assistance at or through the special education resource room for no more than 60% of the child's school day.

Self-contained Special Education Class: A child with a disability attends a self-contained special class for more than 60% of their school day.

Separate Approved Special Education Program/School: A child with a disability attends a publicly or privately operated special education program/school.

Residential placement: A child with a disability attends a publicly or privately operated residential program.

Home Instruction: A child with a disability receives all or a portion of his or her special education program at home.

Hospital or institution: A child with a disability receives special education while in a hospital or institution.

For a complete description of the above placement options, see the NH Rules - Ed 1111.01(b), **Table 1100.3** Continuum of Alternative Learning Environments.

Preschool children shall be educated in a setting that is appropriate to implement the IEP or IFSP. (Ed 1111.02 (b)) Preschool children with disabilities may receive their special education program in any of the settings listed below. (Ed 1111.02 (c) and Table 1100.2 Continuum of Alternative Learning Environments – Pre-school)

Early childhood program: A preschool child with a disability attends an early childhood program.

Home: A preschool child with a disability receives all or some of his/her supports and services in the child's home.

Special education program: A preschool child with a disability attends a special education program.

Service Provider Location: A preschool child with a disability receives supports and services from a service provider.

Separate school: A preschool child with a disability attends a publicly or privately operated separate day school facility designed specifically for children with disabilities.

Residential facility: A preschool child with a disability attends a publicly or privately operated residential school or residential medical facility on an inpatient basis.

State Department Of Education Monitoring Of Educational Services
And Programs For Children With Disabilities
Ed 1126

The SAU 7 School Districts are committed to providing effective, high-quality special education services to all children with disabilities. The Districts continually evaluate the special education and educationally related services they provide to children with disabilities to ensure that all students' unique needs are met.

The Districts determine, at least annually, the degree to which special education and related services being provided for children with disabilities are effectively meeting the students' needs. As part of its evaluation activities, the Districts also identify program deficiencies and plans for future needs.

Evaluation of the overall functioning, efficiency, and success of the special education programs offered by the Districts is conducted through a combination of objective and subjective techniques. This process includes an internal monitoring and review component that considers both individual and general program impact, as well as an external review process, which consists of the NH Department of Education Program Approval and Improvement Process.

See SAU 7 Districts' Policy: [IHBA Programs for Pupils with Disabilities](#)

Individual Program Impact

The effectiveness of students' individualized education programs is determined through a careful analysis conducted by each child's IEP team. The IEP team monitors the child's progress toward achieving the measurable goals, including post-secondary goals when age-appropriate, detailed in the student's IEP.

Evaluation measures may include:

- Curriculum-based measurement
- Student observation
- Post testing and diagnostic reevaluations
- IEP progress reports
- Report cards
- Input from parents
- Student movement from more restrictive to less restrictive educational settings

General Program Impact

Participation in state and Districts-wide assessments is part of the statewide accountability system that helps to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education through the New Hampshire Curriculum. The SAU 7 School districts ensure that all students with disabilities have the opportunity to participate in state and Districts-wide assessments with appropriate accommodations as necessary, to show what they know and can do, and how they are progressing, based upon challenging state academic achievement standards.

Decisions about accommodations are determined by IEP teams and are specified in each student's IEP. Students currently in grades 2, 3, 4, 5, 6, 7, and 10, who are identified by their IEP teams as appropriate for alternate statewide assessment based upon alternate achievement standards, will be included in New Hampshire's Alternate Portfolio Assessment of Reading, Writing, and Mathematics skills, also known as NH-Alt. This process begins each school year in September and ends in April for all participating students.

Similarly, the IEP team determines alternate forms for Districts-wide assessments to be provided for all eligible students.

Results of group assessments are formally analyzed by Districts staff to determine trends and patterns that may reflect areas in need of improvement. Instructional decisions are made per the analysis of assessment results to more effectively meet the needs of all students. Alternate assessments are examined to reflect on progress, programming needs, and potential adjustments that may be needed for students with more significant disabilities.

The following strategies are included in those utilized to assess general program effectiveness in the special education department:

- Parent Surveys
- General Staff Surveys
- Special Education Focus Group Meetings
- Professional Development Needs Survey
- New Hampshire Special Education Information System data
- Other – as determined by SAU 7

The above information will be used to identify program needs, training needs, and any gaps in services that may exist. Systemic changes for the upcoming school year will be considered and planned for, based on the information gathered. Additionally, the information will be used to plan the Districts' professional development activities.

All professional and paraprofessional staff members within the Districts are evaluated using a predetermined system aimed at professional growth and development. Feedback is provided to all in the form of (*commendations and recommendations; summative evaluation; etc*). In this way, the SAU 7 School

Districts ensure that all staff may continue to improve their knowledge and skills to effectively meet the needs of all students.

NH Department of Education Special Education Monitoring

The findings and recommendations from the external “Special Education Compliance and Improvement Monitoring,” process conducted by the NH Department of Education, will be carefully considered and addressed by all members of the SAU 7 School Districts Administrative Team. Team members/District officials will analyze the final report and implement the necessary activities to ensure full compliance with state and federal laws and regulations. Upon notification from the NH Department of Education regarding areas of non-compliance, all corrective action activities shall be completed as soon as possible, but in no case later than one year.

OTHER AGENCIES Ed 1126.01(b)(10)

It is the practice of the SAU 7 School Districts to coordinate their efforts with other local and state agencies whenever possible, to meet the needs of children with disabilities and their families.

The Districts shall work cooperatively with all social services or other agencies within the surrounding area that provides medical, mental health, welfare, and other human services. Formal relationships with agencies are typically established through the Coordinator of Special Services.

The Coordinator of Special Services shall contact all public and private agencies to explain the Districts’ obligation to identify and evaluate all children suspected of being a child with a disability. Further, public and private agencies shall be notified of the process for their participation in the Districts’ special education procedures as detailed in the [Child Find](#) section.

Children Placed in Homes for Children, Health Care Facilities, or State Institutions

The Districts shall assure the provision of a free, appropriate public education to children with or who might have disabilities that are in residential placement or placements awaiting disposition of the courts and committed juvenile students with or who might have disabilities to the extent that such students are not covered under Ed. 1126. The Districts shall assure compliance with all regulations and procedures established under the [NH Rules](#) – Ed1105.03.

Transition of Children from Part C to Preschool Programs

Children participating in Family Centered Early Supports and Services (ESS) and who will participate in preschool special education shall experience a smooth and effective transition to those programs.

The Districts shall participate in transition planning conferences arranged by representatives of ESS. An IEP will be developed and will be in effect for eligible children by their third birthday.

The transition process must include a written interagency agreement (Memorandum of Understanding) between the Districts and the local area agency responsible for family-centered supports and services in the community.

Private Schools

Ed 1112

The SAU #7 School Districts shall ensure that children with disabilities who are placed by their parents in private schools have equitable participation in special education programs according to state and federal regulations.

Under the New Hampshire Education Rules, children who are receiving home education shall not be considered to be children attending a private school.

Child Find

The Districts must locate, identify and evaluate all children with disabilities attending all private schools, including religious schools, within the geographic boundaries of the Districts. Private schools must be approved as “elementary” or “secondary” schools as listed in NHSEIS.

On an annual basis, the Districts consults with representatives of private schools and representatives of parentally placed students to decide:

1. How parentally-placed private school children will participate equitably, and
2. How parents, teachers, and private school officials will be informed of the Districts' year-round child find activities.

All child find activities conducted for children enrolled in private schools by their parents are similar to those activities conducted for children who attend public schools within the Districts. The Districts maintains records and reports the number of private school students evaluated the number of children determined to be children with disabilities, and the number of parentally-placed private school children with disabilities who are served to the NH Department of Education on an annual basis.

A “**Notice to Parents of Private School Children** ” is distributed to local newspapers for publication, as well as posted at each private school located within

the boundaries of the Districts each year. This notice fulfills the Districts' obligation to invite representatives of parents of the children with disabilities who are enrolled in the school to the consultation meeting.

Consultation

The Districts conducts timely and meaningful consultation with representatives of private schools and representatives of parents of parentally placed private school children with disabilities to design and develop special education and related services for eligible children who attend private schools within the Districts. The consultation process operates throughout the school year to ensure that parentally-placed children have the opportunity to meaningfully participate in special education and related services.

Through the consultation process, the Districts decides:

1. Which children will be served,
2. What services will be provided,
3. How and where the services will be provided, and
4. How the services will be evaluated.

The Districts document the decisions on the **Affirmation of Consultation** form. The completed form is sent to each private school providing and rationale for the Districts' decisions.

Provision of Services

Services to parentally-placed private school children are provided by personnel meeting the same standards as those required in the Districts. Eligible children have no individual right to services and they may receive different amounts of services than those provided to students in public schools. An Individual Service Plan (ISP) will be developed for each child eligible to receive services.

Private elementary and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities do not have to meet the highly qualified special education teacher requirements.

INSTRUCTIONAL MATERIALS IN ACCESSIBLE FORMAT

Ed 1126.01 (b) (12)

The SAU #7 Districts ensure that children with disabilities who need instructional materials in accessible formats will receive those materials, as outlined in their IEPs or dictated by their disabilities, at the same time other non-disabled children receive their instructional materials.

Such materials may include but are not limited to, Braille texts, books-on-tape, specialized software, etc.

Other Resources

Appendix A

DISCIPLINE PROCEDURES

Ed 1124

34CFR 300.530

Suspensions of Ten Days or Less During the School Year

Children with disabilities shall be entitled to the same protections and procedures that are available to children without disabilities. School personnel may remove a student with a disability, who violates the code of conduct, from his or her current educational placement under certain circumstances. A student may be removed to an interim alternative educational setting, another setting, or suspension, for not more than 10 school days at a time for a violation of school rules following the discipline policy of the Districts that is used for all students, unless it is determined that the removal constitutes a change of placement.

When a child is removed from his or her current placement for 10 or fewer days in the school year, the Districts shall not be required to provide any special or regular education services during the suspension, as long as those removals do not constitute a change of placement under 34 CFR 300.536.

When these removals (10 days or less at one time) accumulate to more than 10 days in a school year, school personnel, in consultation with at least one of the child's teachers, shall determine the extent of services needed to enable the child to progress in the general curriculum and toward the IEP goals, and the location in which the services will be provided.

School personnel may consider unique circumstances on a case-by-case basis whether a change in placement is appropriate for a student with a disability who violates the code of conduct. Change of placement includes removal for more than 10 consecutive days or a series of removals above 10 days that constitute a pattern. When disciplinary action results in a change of placement, notice shall be provided to parents the day the decision is made.

Suspensions of More Than Ten Days

When any change in placement is contemplated for more than 10 school days because of a violation of a code of student conduct, the Districts, the parent, and relevant members of the IEP Team shall convene no later than 10 school days after the school decides to suspend the child and review:

- all relevant information in the student's file;
- the child's IEP;
- any teacher observations; and
- any relevant information provided by the child's parents

To determine:

- if the conduct in question was caused by the child's disability or had a direct and substantial relationship to the child's disability; or
- if the conduct in question was a direct result of the District's failure to implement the IEP.

If either of the above determinations is affirmative, the conduct shall be determined to be a manifestation of the child's disability. If determined that the child's conduct is a direct result of the District's failure to implement the IEP, the Districts shall take immediate steps to remedy those deficiencies.

If the behavior is not a manifestation of the student's disability, relevant disciplinary procedures that apply to students without disabilities may be applied in the same manner as they would be applied to other students, except that appropriate educational services must continue.

Manifestation Determination Decision

If the Districts, the parent, and relevant members of the IEP Team determine that the child's conduct was a manifestation of his/her educational disability, the IEP Team shall:

1. Conduct a functional behavioral assessment and implement a behavioral intervention plan for the child, or
2. If a behavioral intervention plan has been developed, the team shall review the existing plan and modify it as necessary to address the behavior; and
3. Except under "special circumstances" return the child to the placement from which he/she was removed, unless the parent and the Districts agree to a change of placement as part of the modification of the behavioral intervention plan.

"Special Circumstances" allowing for removal to an Interim Alternative Educational Setting

The child may be removed from his/her current placement by school personnel and placed by the IEP Team in an Interim Alternative Educational Setting (IAES) for up to forty-five (45) school days without regard to the manifestation determination in cases where the child:

1. Carried or possessed a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state educational agency (SEA) or Districts;
2. Knowingly possessed or used illegal drugs, or sold or solicited the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a SEA or Districts; or
3. Inflicted serious bodily injury* upon another person while at school, on school premises, or at a school function under the jurisdiction of a SEA or Districts.

* Serious Bodily Injury: defined in 18 U.S.C: 1365(h)(3) means a bodily injury that involves substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

No later than the date of the disciplinary decision, the Districts shall notify the parents of the decision and the procedural safeguards. If parents disagree with the decision and request an appeal, the child shall remain in the alternative setting pending the appeal.

If there is a disagreement with the parents, the Districts may seek an order from a Hearing Officer for placement in an interim alternative educational setting when it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or others.

A child who has not been determined to have a disability and is subject to disciplinary action may assert the protections in this part if the Districts knew that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The Districts will consider cases on an individual basis and under CFR 300.534 – **Protections for Children Not Yet Eligible for Special Education and Related Services.**

Nothing in this part will prohibit employees of the Districts from reporting a crime committed by a child with a disability to appropriate authorities. Neither will it prevent state law enforcement and judicial authorities from exercising their responsibilities concerning the application of Federal and State law to crimes committed by a child with a disability. If the Districts reports a crime committed by a child with a disability, then the Districts shall also ensure that copies of the special education and discipline records will be transmitted for consideration by the appropriate authorities, but only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA).

Attendance and Discipline

It is expected that all students in the SAU #7 School Districts will comply with the attendance and behavior expectations and rules of the schools. The Districts shall not discriminate against anyone based on disability when administering attendance and discipline systems. To this end, a minority of students may require accommodations or modifications to the discipline or attendance policies because of their educational disabilities. If a student with a disability is in jeopardy of not meeting the attendance requirements or school rules, the Individualized Education Program (IEP) Team will convene and review and/or revise the student's Individualized Education Program (IEP) as appropriate.

The Districts have instituted procedures for manifestation determination meetings. Additionally, a functional behavior assessment shall be conducted and/or reviewed as required.

SAU #7 Districts Policies: [JICD Student Discipline and Due Process](#)
[JLDBA Behavior Management and Intervention](#)
[JKAA Use of Restraints and Seclusion](#)

Appendix B

DISPUTE RESOLUTION

Complaint Procedures Ed 1121

Individuals or organizations may file a complaint to report alleged violations of state and federal special education requirements that may have been committed by the * School Districts regarding the education of children with disabilities. Individuals who live out of state may also file a complaint

The NH Department of Education has a form available to file a complaint, which may be found on the Department's website (<http://www.education.nh.gov>). Use of this form is not required, but all complaints must:

1. Be in writing and signed, including contact information for the signer;
2. Include a statement that the school Districts has violated a state or federal requirement regarding the education of a child with a disability under Part B of the Act or 34 CFR 300; and
3. Contain the facts on which the statement is based; and
4. Allege a violation that occurred not more than one year before the date the complaint was received; and
5. The complaint must indicate how the complaining party would like to see this complaint resolved.
6. A copy of the complaint must be sent to the Districts.

Complaints shall be directed to:

**Commissioner of Education
Attn: Special Education Complaints Office
101 Pleasant Street
Concord, NH 03301**

All complaints received by the Bureau of Special Education will be reviewed by the Complaints Office. If the issues are determined appropriate for the complaint procedures, an investigation of the alleged violation(s) will take place, under Ed 1121.02

Dispute Resolution Procedures Ed 1122

The SAU #7 School Districts shall promote collaboration between teachers and parents. Communication between parents and teachers forms the basis for positive working relationships and may often prevent the need to use a more formal dispute process. When differences arise, parties will be encouraged to work to resolve them through informal problem-solving meetings whenever possible.

Several options are available for the informal resolution of differences regarding the provision of special education and special education-related services. These methods of alternative dispute resolution include the following:

Facilitated Special Education Team Meetings

Facilitation of a special education team meeting is a free service offered by the NH Bureau of Special Education upon request by the Districts or parents. A trained facilitator is sent by the Bureau to attend and conduct a regular special education team meeting scheduled and arranged by the Districts. The facilitator has no “interest” in the content or the outcome of the meeting; he/she is there to conduct the meeting and keep it moving forward. Facilitators are volunteers from various fields who receive training through the Department of Education.

The school Districts will apply rules of confidentiality to any Facilitated IEP meeting. Any discussion held during that team meeting must be kept confidential and cannot be used in a due process hearing unless the parent and Districts agree otherwise. (RSA 186-C: 23).

Mediation

Mediation is a voluntary, confidential, and informal dispute resolution process that is guided by a trained professional (mediator). The mediator helps the parents and the Districts engage in discussions of issues related to the child’s free appropriate

public education to reach a mutually acceptable solution to their dispute. Either party may request mediation by writing to the Commissioner of Education. The mediation conference is conducted within 30 calendar days after receipt of the written request. The mediator is appointed by the Department of Education and the process is provided at no expense to the parent.

If mediation results in an agreement between parents and the Districts, a mediation agreement containing the details of the resolution is written and signed by both parties. If no agreement is reached, either party may decide to request an impartial due process hearing to resolve the matter.

If both parties agree to participate in mediation, the Districts shall file a request with the NH Department of Education.

Neutral Conference

A neutral conference is a voluntary, confidential process presided over by a trained professional (neutral) who listens to both sides of a dispute and makes a recommendation, which both sides may either adopt or refuse. The neutral's recommendation should guide both parties in determining whether to proceed with a due process hearing. The neutral's recommendation is non-binding unless both parties agree to it.

If both parties agree to initiate a neutral conference, the Districts will file a request with the NH Department of Education.

Impartial Due Process Hearing

This is the most formal process with which to resolve a dispute between the school Districts and the parent. If the parent and the Districts cannot agree on a special education issue relating to the identification, evaluation, or educational placement of a child with a disability, or the provision of a free and appropriate public education, either one has the option of requesting an impartial due process hearing. The one exception to this is concerning disagreements relating to the initial provision of services. The hearing is conducted by a hearing officer appointed by the State Department of Education. A due process hearing can be requested by either the school Districts or the parent on any matters relating to special education.

If either party requests a due process hearing, the Districts shall inform the parents of free or low-cost legal services. The Districts will offer mediation and if the parents request due process, the Districts will schedule a resolution session.

Requests for a due process hearing must be made following state statutes of limitations. The following is a brief list of the important time limits:

- A parent must request a due process hearing within 2 years of the date on which the alleged violation was discovered or reasonably should have been discovered.
- A parent must request a due process hearing within 90 days of a unilateral placement to recover the costs of the unilateral placement.
- Any appeal of a Hearing Officer's final decision must be filed in either state superior court or federal court within 120 days from the receipt of the final Hearing Officer decision.
- A parent must file an action to recover their attorneys' fees and reasonable court costs in state superior court or federal court within 120 days from the receipt of the final Hearing Officer decision.

Appendix C

SAU 7 School Districts

Brief Overview of the Special Education Process Information for Parents

Referral

The IEP Team is required to meet within 15 days of the date on which the referral was received to determine what will be done in response to this referral and to determine the best course of action regarding your child's educational program.

Evaluation

If the IEP Team determines that your child does not need to be evaluated, they will provide you with some ideas/suggestions/modifications on the reason for referral that may be helpful for your child in the classroom. If the team determines that your child will be evaluated, a meeting will be convened within 45 days of receipt of your written consent to discuss the results of the evaluation and to determine the educational needs of the student, including possible eligibility for special education services.

IEP

If the IEP Team determines that your child is a child with a disability, a meeting to develop an Individualized Education Program will be conducted within 30 days. You will be notified of the date and time of the IEP meeting at least ten days in advance.

Placement

Once an IEP has been developed and approved, the IEP Team will meet to determine appropriate placement within the least restrictive environment for your child. You will be notified of the placement meeting at least ten days in advance.

You may contact the SAU #7 School Districts, Department of Special Services, (21 Academy St, Colebrook, NH 03576; 603-237-4104 ext 17), with questions.

Parents of a child with a disability have certain protections under the procedural safeguards of Part B of the IDEA (Section 615 (d)(1)(a). A copy of these safeguards may be obtained by contacting:

SAU #7 School Districts, Department of Special Services, (21 Academy St, Colebrook, NH 03576; 603-237-4104 ext 19)

Additional agencies that can assist in understanding the provisions of Part B of the IDEA:

New Hampshire Department of Education
101 Pleasant Street, Concord, NH 03301
Telephone (603) 271-3741

The Parent Information Center (PIC)
P.O. Box 2405, Concord, NH 03302
Telephone (603) 224-7005

Disabilities Rights Center in Concord
P.O. Box 3660, Concord, NH 03302
Telephone (603) 228-0432 or (800) 834-1721

Individualized Education Program

The SAU 7 School Districts established an individualized education program (IEP) team for each child referred to the local educational agency. All meetings involving the identification, evaluation, educational placement, and provision of a free appropriate public education involve the IEP Team.

PARTICIPANTS

The IEP Team for each child consists of all of the following:

- the parents of the child;
- not less than one regular education teacher of the child if the child is, or may be, participating in a regular educational environment;
- Not less than one special education teacher, or when appropriate, not less than one special education provider of the child
- a representative of the local educational agency:
 - who is qualified to provide or supervise the provision of special education,
 - who is knowledgeable about the general curriculum,
 - who is knowledgeable about the availability of and authorized to commit the resources of the local educational agency and
 - who may be another local educational agency member of the IEP team if the criteria above are met;
- an individual who can interpret the instructional implications of evaluation results, who may otherwise be a team participant;

- when determining the child's educational placement, individuals who are knowledgeable about the child and the placement options;
- at the discretion of the parent or local educational agency, other individuals who have knowledge or special expertise about the child, including related services personnel as appropriate (the determination of the individual's knowledge or special expertise is made by the party [parents or public local educational agency] who invited the individual to be a member of the individualized education program);
- whenever appropriate, the child;
- when a transition is being discussed, other agencies who may be responsible for the provision or payment of transition services; and
- when the purpose of the meeting will be consideration of transition services, the student.

If an invited agency does not send a representative to the meeting, the local educational agency takes other steps to obtain the agency's participation in planning transition services. If the student does not attend the individualized education program meeting, the local educational agency takes other steps to ensure consideration of the student's preferences and interests.

PARENT PARTICIPATION IN INDIVIDUALIZED EDUCATION PROGRAM TEAM MEETINGS

The SAU 7 School Districts takes steps to ensure that one or both of the parents of a child with a disability are present at each individualized education program meeting or are allowed to participate, including:

- notifying parents of the meeting early enough to ensure that they will have an opportunity to attend and
- scheduling the meeting at a mutually agreed-on time and place.

The notice required in these procedures:

- indicates the purpose, time, and location of the meeting and who will be in attendance and
- informs the parents of the provisions in these policies relating to the participation of other individuals on the individualized education program team who have knowledge or special expertise about the child.

For a student with a disability beginning at age 14, or younger, if appropriate, the notice also:

- indicates that a purpose of the meeting will be the development of the required statement of the transition services needs of the student and
- indicates that the local educational agency will invite the student.

For a student with a disability beginning at age 16, or younger, if appropriate, the notice:

- indicates a purpose of the meeting is the consideration of needed transition services for the student;
- indicates the local educational agency will invite the student; and
- identifies any other agency that will be invited to send a representative as long as you have been notified and have given your permission for that representative to attend.

If neither parent can attend, the local educational agency uses other methods to ensure parent participation, including individual or conference telephone calls.

The local educational agency conducts meetings without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case, the local educational agency has a record of its attempts to arrange a mutually agreed on time and place, such as:

- detailed records of telephone calls made or attempted and the results of those calls;
- copies of correspondence sent to the parents and any responses received; and
- detailed records of visits made to the parent's home or place of employment and the results of those visits.

The local educational agency takes whatever action is necessary to ensure that the parent understands the proceedings at the individualized education program meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English. The local educational agency gives the parent a copy of the child's individualized education program at no cost to the parent.

Ed 1103.01 IEP Team

Certain individuals must be involved in writing a student's Individualized Education Program (IEP). An IEP team member may fill more than one of the team positions if properly qualified.

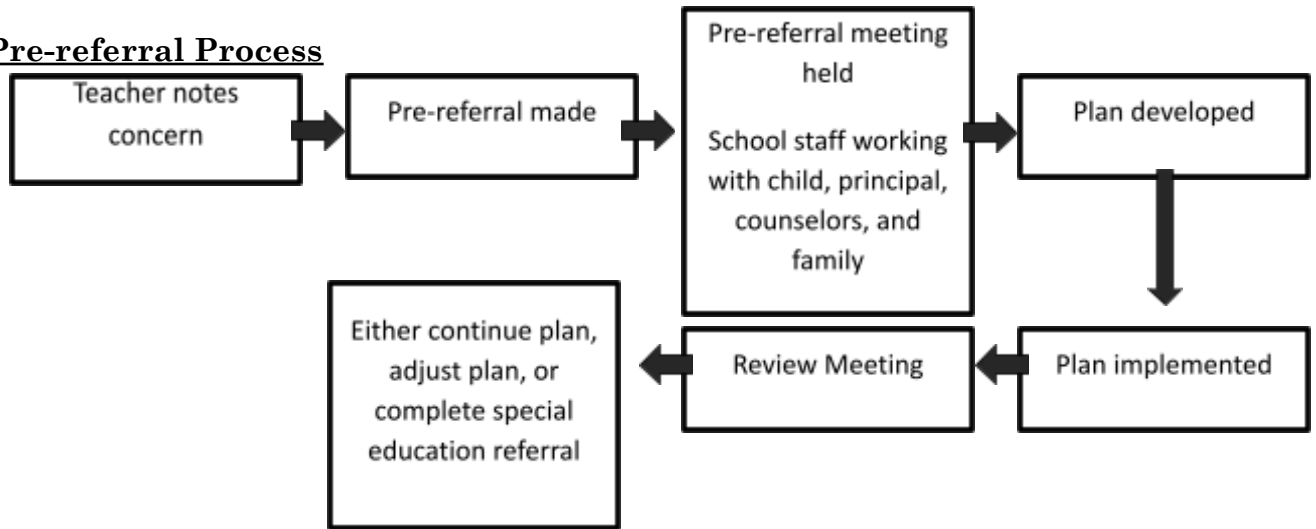
The basic team is comprised of the following individuals:

- One or both of the student's parents, guardian, and/or surrogate parent
- A representative of the School Districts other than the student's teacher who is qualified to provide or supervise the provision of special education services
- Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
- Not less than one special education teacher or, when appropriate, not less than one special education provider of the child
- The student (if on the age of majority) and where otherwise appropriate
- Vocational education representatives, if appropriate
- A member of the multidisciplinary team – if the student is newly identified or for initial placement decision
- Other individuals at the discretion of the parent or School Districts
- A representative of any other agency that is likely to be responsible for providing or paying for transition services WITH PERMISSION of the parent/guardian/adult student.

The regular education teacher must be involved in developing appropriate positive behavioral interventions and strategies, as well as assisting the team in determining the

support necessary for school personnel to implement the IEP. While only one regular education teacher is required to attend the IEP team meeting, the case manager needs to consult with or gather additional information from the child's other teachers.

Pre-referral Process



IEP Process



- Notice of Receipt of Special Education Referral
- Procedural Safeguards to Parent(s)

- Notification of Special Education
- Team Meeting Written Prior Notice – Disposition of Referral

- Proposal for Individual Evaluation
- Permission to Evaluate Consent Form
- Written Prior Notice
- Parents have 14 days to agree/disagree

- Individual Examiner Reports
- Evaluation Summary report
- Parent's Response to Special Education Proposal
- Written Prior Notice
- Parents have 14 days to agree/disagree

IEP DEVELOPMENT
(within 30 days of
identification
as a child with a disability)

- Parent Notification of Special Education Team Meeting – 10 days in advance
- Documentation of efforts to ensure parent participation in the meeting(s)
- Parent participation in IEP development
- IEP – Written Prior Notice – Parent’s Response to Special Education Proposal
- Parents have 14 days to agree/disagree

PLACEMENT

- Determine placement in the least restrictive environment
- Written Prior Notice
- Placement Proposal
- Parent’s Response to Special Education Proposal
- Parents have 14 days to agree/disagree

**REGULAR MONITORING
OF THE IEP**

- Ensure progress toward goals
- Consultation, observation, work samples, post-testing
- Regular notification of progress to parents

**ANNUAL REVIEW OF THE
IEP**

- IEP/Program adjustments to facilitate progress
- Amendments to accommodate for met/exceeded goals

Special Education Forms & Letters

- Child Find Letter for Parents
- Special Education Referral
- SAU #7 Child Find Description
- Record Access Log
- Authorization to Exchange Information
- Electronic Communication Consent Form
- Written Prior Notice Outline
- Request for Extension to Complete Evaluation
- Meeting Invite Outline
- Evaluation Consent
- Waiver of Special Education Services
- Pre-referral Checklist
- Pre-referral Form
- Meeting Report Form
- Student Plan
- Plan Review
- Team Meeting Minutes
- Manifestation Determination