

Washington Elementary School District
Special Education
Policies and Procedures Manual

Revised: August 2022

School Administrative Unit #34 Administration

SUPERINTENDENT OF SCHOOLS

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Washington Elementary School District

Special Education Procedures Plan Ed 1126.01(b)

INTRODUCTION

IDEA 2004 requires the Washington Elementary School District have in effect policies, procedures, and programs that are consistent with the State's policies and procedures and are established in accordance with IDEA 2004 and other relevant federal statutes.

The Washington Elementary School District has developed this Special Education Plan and it serves as a tool for the District's implementation of IDEA 2004 requirements in providing programs for children with disabilities. In addition, it provides the required assurances necessary for application for federal special education funds.

Throughout this manual, there are references to state and federal special education laws and regulations. To ensure a more readable document, the following abbreviations are used:

NH Standards - Refers to New Hampshire Standards for the Education of Children with Disabilities – 2017. This Special Education Manual Template has been revised to align with NH Standards effective March 23, 2017 and amended on June 14, 2018 and August 9, 2018, and further Readopted with Amendment effective April 10, 2020.

IDEA Regulations – Refers to sections in 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, 2016 (IDEA 2004).

Mission Statement

Washington Elementary School District has adopted an inclusive philosophy for all students with disabilities corresponding to the belief that all students can and will learn, especially if those around them believe that to be true. We believe that all students will be educated according to their individual needs. All students will be included to the maximum extent appropriate for each student and each classroom in an effort to provide them with the skills necessary to enjoy full membership in the school community and the community at large.

At the heart of the District's mission is the belief that its primary purpose is to provide all students with opportunities to develop competency, reasoning, and problem solving skills in the core curriculum areas of English, Language Arts, Mathematics, Social Studies, Science, Technology, Foreign Language, Physical Education, and the Arts. Curricula will be designed to integrate academic learning with practical and technical knowledge, while developing students' skills and interests.

1. CHILD FIND

34 CFR § 300.111; PART Ed 1105; ED 1126.01(b)(1)

The Washington Elementary School District ensures that all children who have disabilities, from age 2.5 to age 22 in accordance with RSA 186-C:2,1, who reside in the District and who are in need of special education and related services, are identified, located and evaluated. This process is known as Child Find pursuant to PART Ed 1105. 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 District. The District ensures that all Child Find activities are completed within the applicable timelines.

For those students who are transitioning from Early Supports and Services to preschool, the District will participate in a transition planning meeting to provide a smooth and timely transition and implement an Individual Education Program or Individual Family Support Plan by the child's third birthday.

All data and information collected and used under this section are subject to confidentiality requirements as described in Section 2 - Confidentiality.

The District's Child Find program includes, at a minimum, the following:

1. The District has 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. These procedures are found in Section 8 – Pupil Evaluation to Placement.
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 a child care or after school program;
 - 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 District contacts all approved, non-public private schools (including religious elementary and secondary schools) within its geographic boundaries regardless of where the child resides. The District shall conduct a consultation meeting and advise school officials of the District's responsibilities to

identify and evaluate all students who are suspected of or known to be a child with a disability enrolled in such schools. The District 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 Find 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 District. Referrals from approved, non-public schools shall be forwarded to an appropriate special education team for further consideration.

4. On an annual basis, the District contacts all community agencies and programs within its geographic boundaries that provide medical, mental health, welfare, and other human services, to advise them of the District's 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 District that may have knowledge of 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 District publicizes and disseminates 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 the manner by which he/she might be contacted for further information or referral.
6. The District shall annually provide all parents of children with disabilities information regarding their rights and responsibilities under federal and state special education laws.
7. The District ensures that all referrals, from parents and others who suspect or know a child with a disability, are forwarded to the special education evaluation team. The District shall provide the parents with a written notice of any referral other than one initiated by the parent.
8. The District ensures there are continuing efforts related to cultural competency in relationship to public awareness and child find activities, such as the ability to communicate with and relate to parents and families in ways which are appropriate to their individual racial, ethnic, and/or cultural backgrounds.
9. The District shall coordinate with area agencies and family centered supports and services to establish a process of District notification of children served by these programs consistent with the interagency agreement between the District and the area agencies providing family centered supports and services.

10. Pursuant to Ed 1105.04(a), the District shall develop a written early transition process for children exiting family centered early supports and services, which assures that any child who is potentially a child with a disability is evaluated and eligibility for special education is determined prior to the child's third birthday. If a child is determined to be a child with a disability eligible for special education and related services, the District shall ensure that an IEP is developed and implemented on/before the child's third birthday.
11. Pursuant to Ed 1105.04(b), the transition process shall include a written interagency agreement between the District and the local area agencies, as defined by RSA 171-A:21-b, responsible for the provision of family centered supports and services in that community.

2. CONFIDENTIALITY OF INFORMATION

PART Ed 1119 and Ed 1126.01(b)(2)

The Washington Elementary School District adheres to the Confidentiality of Information regulations set forth in the NH Standards, the Federal Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232G (FERPA), its implementing regulations in 34 CFR PART 99, and the Individuals with Disabilities Education Act (IDEA 2004; 34 CFR § 300.610-300.627).

ACCESS RIGHTS

The District permits parents to inspect and review any education records relating to their child that are collected, maintained, or used by the District under 34 CFR PART 300. The District shall annually provide parents information about their rights under state and federal law. The District will comply with a request before any meeting regarding an IEP, or any hearing pursuant to IDEA and its regulations. The District shall provide access within 14 days after the request is received pursuant to RSA 189:66 IV(a).

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

1. the right to a response from the District to reasonable requests for explanations and interpretations of the records;
2. the right to request that the District 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 District may presume that the parent has authority to inspect and review records relating to his or her child unless the District has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, or divorce.

RECORD OF ACCESS

The District 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. The District shall update, on an annual basis, the list of the names and positions of employees who have access to personally identifiable information. The District employees responsible for ensuring the confidentiality of any personally identifiable information are the Director of Student Services, the Principals/Assistant Principals, Guidance Counselors, Special Education Coordinators, School Psychologists, Related Service Providers, Special Educators, Regular Educators, Contracted Service Providers, and Office Para Professionals and Paraeducators.

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 District provides parents on request a list of the types and locations of education records collected, maintained, or used by the District.

FEES

The District may charge a fee for copies of records that are made for parents under this part, if the fee does not effectively prevent the parents from exercising their right to inspect and review those records. The Washington Elementary School Board adopted the following fee for copies: \$.25 per page. The District does 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 District will determine whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request. If the District decides to not amend the information in accordance with the request, it will inform the parent of the refusal and advise the parent of the right to a hearing.

OPPORTUNITY FOR HEARING

The District, 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 District decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, the District will amend the information accordingly and so inform the parent in writing. If, as a result of the hearing, the District 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 District. Any explanation placed in the records of the child under this section:

1. will remain as part of the child's records as long as the record or contested portion is maintained by the District; and
2. will be included in the child's records if the contested portion is disclosed by the District to any 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 § 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 District will not release information from education records to participating agencies without parental consent unless authorized to do so under 34 CFR PART 99.

The District protects 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 and in accordance with the State's policies and procedures. The District maintains, for public inspection, a current listing of the names and positions of those employees within the District 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.

DESTRUCTION OF INFORMATION

The District informs parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child. 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 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 or rights or whichever occurs first. The LEA shall provide public notice of its document destruction policy at least annually and will comply with the State's adopted special education retention policy. The information is destroyed at the request of the parents or the adult student pursuant to 34 CFR § 300.624(b). Under Ed 1119.01(b)(1), no records shall be destroyed before a student's 25th birthday unless the parent or adult student provides written prior consent. 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. The District shall maintain a copy of the student's last IEP until the student's 30th birthday pursuant to RSA 186-C:10-a. A private provider of special education can destroy a student's records if a complete copy was sent to the District pursuant to Ed 1119.01(d).

CHILDREN'S RIGHTS (Ed 1119.03)

The District ensures 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 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 District shall notify the parent when a child reaches majority, and shall provide future notice to the parent and the student upon the student's majority. For purposes of this section, "adult student" means adult student as defined in 20 USC § 1232 g (d).

DISCIPLINARY INFORMATION (Ed 1119.04)

The District includes 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 IEP and any statement of current or previous disciplinary action that has been taken against the child.

3. FACILITIES, PERSONNEL & SERVICES

Ed 1126.01(b)(3)

The Washington Elementary School District 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 District ensures 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 removal of students with disabilities from the regular educational environment occurs 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 in accordance with the procedures described in Section 8 – Pupil Evaluation to Placement.

The District 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 District 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 District.

The District shall provide access to vocational training and transition services as appropriate. Vocational and transition services are provided primarily within the District 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 District 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, prior to 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 District must meet highly qualified teacher requirements for their respective teaching assignments, as designated by federal and state guidelines.

Programs and Services (Table 1100.03: Continuum of Alternative Learning Environment)

The District 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 with Consultative Assistance

- A child with a disability attends the regular class with consultative assistance being provided to the classroom teacher.

Regular Classroom with Assistance by Specialists

- A child with a disability attends the regular class with direct services provided by specialists or paraprofessionals working under the direction of professional teaching staff.

Regular Classroom plus Resource Room Help (Ed 1113.10(e))

- 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 aides 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 has continued access to the general curriculum.
- The total number of students with disabilities being served in the Resource Room at any given time shall not exceed 12 students without the assistance of support personnel. The maximum number of children in a Resource Room shall not exceed 20 (Ed 1113.10(e)(4)). The District shall ensure that the resource settings are staffed with personnel who meet state certification requirements and federal "Highly Qualified Teacher" requirements as applicable.

Regular Classroom plus Part-time Special Class (Ed 1113.10(d))

- A child with a disability attends a regular class and a self-contained special education classroom.

Self-contained Special Education Class

- A child with a disability attends a special education class for more than 60% of their 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 cannot 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.

Full-time or Part-time Special Day School

- A child with a disability attends a public or privately operated special day program full-time or part-time.

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 in accordance with 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 District's 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 pursuant to Ed 1113.10(c)(7).

- **Early Childhood Program:** a preschool child with a disability attends an early childhood program.
- **Home:** a preschool child with a disability receives some or all 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.

Home Instruction for School Aged Children (Ed 1111.04)

- A child with a disability receives all or a portion of his/her special education program at home in accordance with Ed 1111.04.
- Home instruction for children at least six years of age but less than 21 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 in accordance with the NH Standards.
- Home-based programs shall not exceed 45 days in a school year unless individual circumstances warrant an extension to this time period. If the IEP team determines that home instruction should be implemented for more than 45 days of a school year, the District 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 of the transition of the child into a less restrictive environment.
- Home instruction shall NOT include parent designed home education programs as authorized in PART Ed 315.
- Home instruction shall be implemented by personnel qualified in accordance with 34 CFR § 300.156 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, 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 prior to 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 pursuant to RSA 193:1 I(c), the Superintendent shall not excuse a child from the required minimum school day. The District's 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 (Ed 1113.14)

- The District shall provide a standard school year of at least 180 days or the equivalent number of hours per Ed 1113.15 (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 Section 9 – Pupil Evaluation to Placement. Extended School Year Programming shall not be limited only to the summer months.

Supervision and Administration

- The Superintendent of Schools, the Special Education Administrator, Special Education Building Coordinators 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 District, 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. It is RECOMMENDED that paraprofessional performance be evaluated through a predetermined performance review process.

Diplomas

- The Washington Elementary School District 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 21, whichever occurs first, or until the District determines that the student no longer requires special education in accordance with Section 8 – Pupil Evaluations to Placement.

- All children with disabilities in the District 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 24 credits (Ed 306.27 (k));
 2. meet specific course requirements as described in the Hillsboro-Deering High School Program of Studies; and
 3. meet all attendance requirements as stated in the Hillsboro-Deering High School Program of Studies (and/or Local District 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 District’s 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.

PROGRAM DESCRIPTIONS

Overview

Hillsboro-Deering Middle School

Modified Regular Program
Resource Program
Alternative Education Program
Bridges Program

Hillsboro-Deering High School

Modified Regular Program
Resource Program
Alternative Program
Life Skills Program

Washington Elementary School

Early Learning Program
Modified Regular Program
Resource Program

PROGRAM DESCRIPTION

School Name: Washington Elementary School
Address: 62 Wolf Way, Washington, NH 03280

Telephone Number: 495-3463
Fax Number: 495-0140

Program Name: **Early Learning Program**

Contacts: Kelli Colarusso
kcolarusso@hdsd.org

Classroom/Special Education Teachers: Ann Malone, Special Educator
amalone@hdsd.org

Endorsements: Early Childhood/Special Education

Staffing Pattern: Related Service Providers:

Eric Geaumont, School Psychologist
egeaumont@hdsd.org

Contracted Speech/Language Pathologist

Contracted Occupational Therapist

Para educators as necessary to meet the needs of each student

Disabilities Served: All

Age Range:	3 years to 11 years
Current Enrollment:	Varies
Related Services Typically Available:	Consultation, Speech/Language Therapy, Occupational Therapy, Physical Therapy, Counseling, Special Transportation, Behavioral Consultation, Vision/Hearing Services and others as needed.
Brief Description:	Children who are identified with educational disabilities and determined to be in need of a comprehensive team approach are recommended for the Integrated Special Needs Preschool. The students are served in an integrated setting with their non-disabled peers and are grouped according to age range. Preschoolers who require speech/language and or occupational therapy services only receive these services as a related service.

PROGRAM DESCRIPTION

School Name:	Hillsboro-Deering Middle School
Address:	6 Hillcat Drive, Hillsboro, NH 03244
Telephone Number:	464-1120
Fax Number:	464-5759
Program Name:	Modified Regular Program
Contacts:	<p>Dorothy O'Rourke Special Education Building Coordinator dorourke@hdsd.org</p> <p>Marion Haigh, Special Education Office Para mhaigh@hdsd.org</p>
Teachers:	General Education Classroom Teachers
Special Education Teachers:	<p>Caroline Beaudreau cbeaudreau@hdsd.org</p> <p>Amanda Conley aconley@hdsd.org</p> <p>Eliza Tasker etasker@hdsd.org</p> <p>Jessica Granger jgranger@hdsd.org</p> <p>Tara Bell tbell@hdsd.org</p>
Endorsements:	Classroom teachers are certified in the areas required for their assignment
Staffing Pattern:	<p>Itinerant Specialists:</p> <p>Heather Garcia, Associate School Psychologist hgarcia@hdsd.org</p> <p>Danielle Bond-Ishak, Speech/Language Pathologist dbond@hdsd.org</p> <p>Jill Severino, Occupational Therapist, ATP jseverino@hdsd.org</p> <p>Para educators as necessary to meet the needs of each student</p> <p>Contracted Service Providers: Physical Therapy, TVI, O&M, Educational Interpreter, Tutor</p>

Disabilities Served:	All
Age Range:	11 to 15 years
Maximum Class Size:	In accordance with district guidelines for class size in general education classrooms
Current Enrollment:	Varies
Related Services Typically Available:	Consultation, Speech/Language Therapy, Occupational Therapy, Physical Therapy, Counseling, Special Transportation, Behavioral Consultation, Vision/Hearing Services and others as needed.
Brief Description:	Students are served in a modified regular program to the maximum extent appropriate in order to meet their educational needs with modifications, accommodations and specialized instruction as outlined in the IEP.

PROGRAM DESCRIPTION

School Name:	Hillsboro-Deering Middle School
Address:	6 Hillcat Drive, Hillsboro, NH 03244
Telephone Number:	464-1120
Fax Number:	464-5759
Program Name:	Resource Program
Contacts:	Dorothy O'Rourke Special Education Building Coordinator dorourke@hdsd.org Marion Haigh, Special Education Office Para mhaigh@hdsd.org
Teachers:	General Education Classroom Teachers
Special Education Teachers:	Caroline Beaudreau cbeaudreau@hdsd.org Amanda Conley aconley@hdsd.org Eliza Tasker etasker@hdsd.org Jessica Granger jgranger@hdsd.org Tara Bell tbell@hdsd.org
Endorsements:	Classroom teachers are certified in the areas required for their assignment
Staffing Pattern:	Itinerant Specialists: Heather Garcia, Associate School Psychologist hgarcia@hdsd.org Danielle Bond-Ishak, Speech/Language Pathologist dbond@hdsd.org Jill Severino, Occupational Therapist, ATP jseverino@hdsd.org Para educators as necessary to meet the needs of each student

Contracted Service Providers:
Physical Therapy
School Psychologist
Behavior Specialist
Brookside Counseling
TVI, O&M, Educational Interpreter, Tutor

Disabilities Served:	All
Age Range:	11 to 15 years
Maximum Class Size:	In accordance with district guidelines for class size in general education classrooms
Current Enrollment:	Varies
Related Services Typically Available:	Consultation, Speech/Language Therapy, Occupational Therapy, Physical Therapy, Counseling, Special Transportation, Behavioral Consultation, Vision/Hearing Services and others as needed.
Brief Description:	Students are served with resource support for specialized remedial instruction, which is related to and allows for progress in the general curriculum. Specially designed instruction is provided in the resource setting only when satisfactory results cannot be achieved in the general education setting, even with supplementary aides and services.

PROGRAM DESCRIPTION

School Name: Hillsboro-Deering Middle School
Address: 6 Hillcat Drive, Hillsboro, NH 03244

Telephone Number: 464-1120
Fax Number: 464-5759

Program Name: **Bridges Program**

Teachers: General and Special Educators

Contacts: Dorothy O'Rourke
Special Education Building Coordinator
dorourke@hdsd.org

Marion Haigh, Special Education Office Para
mhaigh@hdsd.org

Special Education Teacher: Jessica Granger
jgranger@hdsd.org

Endorsements: Classroom teachers are certified in the areas required for their assignment

Staffing Pattern: Itinerant Specialists:

Heather Garcia, Associate School Psychologist
hgarcia@hdsd.org

Danielle Bond-Ishak, Speech/Language Pathologist
dbond@hdsd.org

Jill Severino, Occupational Therapist, ATP
jseverino@hdsd.org

Para educators as necessary to meet the needs of each student

Contracted Service Providers:
Physical Therapy
School Psychologist
Behavior Specialist
Brookside Counseling
TVI, O&M, Educational Interpreter, Tutor

Disabilities Served:	All
Age Range:	11 to 15 years
Maximum Class Size:	In accordance with district guidelines for class size in general education classrooms
Current Enrollment:	Varies
Related Services Typically Available:	Consultation, Speech/Language Therapy, Occupational Therapy, Physical Therapy, Counseling, Special Transportation, Behavioral Consultation, Vision/Hearing Services and others as needed
Brief Description:	<p>The Hillsboro-Deering Middle School's Bridges Program strives to effectively meet the needs of students with academic, social/emotional and behavioral challenges in an environment that is safe, builds self-esteem, and cultivates respect and responsibility. The Bridges Program provides an opportunity for students to learn and grow as their considerable needs are being addressed in an environment that challenges them academically, allows them to feel safe, and fosters respect and responsibility.</p> <p>The Middle School's Bridges Program is designed to assist students who are identified as Emotionally Disabled and/or who have significant behavioral challenges become engaged and successful students within the regular classroom. The Bridges Program provides a continuum of behavioral and social emotional support services within the service delivery model made available at Hillsboro-Deering Middle School.</p>

PROGRAM DESCRIPTION

School Name:	Hillsboro-Deering High School
Address:	12 Hillcat Drive, Hillsboro, NH 03244
Telephone:	464-1130
Fax:	464-4028
Program Name:	Modified Regular Program
Contacts:	Melissa Muzzy Special Education Building Coordinator mmuzzy@hdsd.org Marion Haigh, Special Education Office Para mhaigh@hdsd.org
Teachers:	General Education Classroom Teachers
Special Education Teachers:	Kelley Williams, kwilliams@hdsd.org Kelly Dinsmore, kdinsmore@hdsd.org Dan Forrester, dforrester@hdsd.org Robert Koziol, rkoziol@hdsd.org Lori Stumpfol, lstumpfol@hdsd.org
Endorsements:	Teachers are certified in the areas required for their assignment
Staffing Pattern:	Itinerant Specialists: Heather Garcia, Associate School Psychologist hgarica@hdsd.org Danielle Bond-Ishak, Speech/Language Pathologist dbond@hdsd.org Jill Severino, Occupational Therapist, ATP jseverino@hdsd.org Para educators as necessary to meet the needs of each student Contracted Service Providers: Physical Therapy Brookside Counseling Behavior Specialist TVI, O&M, Educational Interpreter, Tutor

Disabilities Served:	All
Age Range:	14 to 22 years
Maximum Class Size:	In accordance with district guidelines for class size in general education classrooms
Current Enrollment:	Varies
Related Services Typically Available:	Consultation, Speech/Language Therapy, Occupational Therapy, Physical Therapy, Counseling, Special Transportation, Behavioral Consultation, Vision/Hearing Services and others as needed
Brief Description:	Students are served in a modified regular program to the maximum extent appropriate in order to meet their educational needs with modifications, accommodations and specialized instruction as outlined in the IEP.

PROGRAM DESCRIPTION

School Name: Hillsboro-Deering High School
Address: 12 Hillcat Drive, Hillsboro, NH 03244

Telephone: 464-1130
Fax: 464-4028

Contacts: Melissa Muzzy
Special Education Building Coordinator
mmuzzy@hdsd.org

Marion Haigh, Special Education Office Para
mhaigh@hdsd.org

Program Name: **Life Skills Program**

Teachers: Special Education Teachers

Special Education Teacher: Kelly Williams
kwilliams@hdsd.org

Endorsements: Teachers are certified in the areas required for their assignment

Staffing Pattern: Itinerant Specialists:

Heather Garcia, Associate School Psychologist
hgarcia@hdsd.org

Danielle Bond-Ishak, Speech/Language Pathologist,
dbond@hdsd.org

Jill Severino, Occupational Therapist, ATP
jseverino@hdsd.org

Para educators as necessary to meet the needs of each student

Contracted Service Providers:
Brookside Counseling
Physical Therapy
TVI, O&M, Educational Interpreter, Tutor

Disabilities Served:	All
Age Range:	14 to 22 years
Maximum Class Size:	In accordance with district guidelines for class size in general education classrooms
Current Enrollment:	Varies
Related Services Typically Available:	Consultation, Speech/Language Therapy, Occupational Therapy, Physical Therapy, Counseling, Special Transportation, Behavioral Consultation, Vision/Hearing Services and others as needed.
Brief Description:	The Life Skills Program is created for students who present global delays in academic, cognitive and/or independence areas. Students are included in the regular classroom for most of their academics and receive support in Achievement Lab for deficit areas. The Life Skills Program is staffed by a special educator and paraprofessionals for direct services and classroom support. Services are provided by Speech and Language Pathologist, an Occupational Therapist and a Physical Therapist. Students in this program receive direct support in pre-academic functional living and pre-vocational skills as outlined in their IEP.

PROGRAM DESCRIPTION

School Name: Hillsboro-Deering High School
Address: 12 Hillcat Drive, Hillsboro, NH 03244

Telephone: 464-1130
Fax: 464-4028

Contacts: Melissa Muzzy
Special Education Building Coordinator
mmuzzy@hdsd.org

Marion Haigh, Special Education Office Para
mhaigh@hdsd.org

Program Name: **Resource Program**

Teachers: Special Education Teachers

Special Education Teacher: Elizabeth Cairns
ecairns@hdsd.org

Endorsements: Teachers are certified in the areas required for their assignment

Staffing Pattern: Itinerant Specialists:

Heather Garcia, Associate School Psychologist
hgarcia@hdsd.org

Danielle Bond-Ishak, Speech/Language Pathologist,
dbond@hdsd.org

Jill Severino, Occupational Therapist, ATP
jseverino@hdsd.org

Para educators as necessary to meet the needs of each student

Contracted Service Providers:
Brookside Counseling
Physical Therapy
TVI, O&M, Educational Interpreter, Tutor

Disabilities Served:	All
Age Range:	13 to 22 years
Maximum Class Size:	In accordance with district guidelines for class size in general education classrooms
Current Enrollment:	Varies
Related Services Typically Available:	Consultation, Speech/Language Therapy, Occupational Therapy, Physical Therapy, Counseling, Special Transportation, Behavioral Consultation, Vision/Hearing Services and others as needed.
Brief Description:	Students are served with resource support for specialized remedial instruction, which is related to and allows for progress in the general curriculum. Specially designed instruction is provided in the resource setting only when satisfactory results cannot be achieved in the general education setting, even with supplementary aides and services.

PROGRAM DESCRIPTION

School Name:	Hillsboro-Deering Alternative High School
Address:	2300 2 nd NH Turnpike, Deering, NH 03244
Telephone:	464-1181
Fax:	464-6534
Program Name:	Hillsboro-Deering Alternative Education Program
Teachers:	General and Special Education Teachers
Contacts:	Tim Carson Alternative Education Program Director timcarson@hdsd.org Melissa Muzzy Special Education Coordinator mmuzzy@hdsd.org Linda Maddox, Special Education Office Para lmaddox@hdsd.org
General/Special Education Teachers:	Marilyn Knapp, mknapp@hdsd.org Stephen Cousens, scousens@hdsd.org Karla Luhtjarv, kluhtjarv@hdsd.org
Endorsements:	Teachers are certified in the areas required for their assignment
Staffing Pattern:	Itinerant Specialists: Heather Garcia, Associate School Psychologist hgarcia@hdsd.org Danielle Bond-Ishak, Speech/Language Pathologist, dbond@hdsd.org Jill Severino, Occupational Therapist, ATP jseverino@hdsd.org Kate Cashorali, School Counselor, ELO Coordinator kcashorali@hdsd.org Contracted Service Providers: Brookside Counseling Behavior Specialist Guidance TVI, O&M, Educational Interpreter, Tutor

Disabilities Served:	All
Age Range:	14 to 22 years
Maximum Class Size:	In accordance with district guidelines for class size in general education classrooms
Current Enrollment:	Varies
Related Services Typically Available:	Consultation, Speech/Language Therapy, Occupational Therapy, Physical Therapy, Counseling, Special Transportation, Behavioral Consultation, Vision/Hearing Services and others as needed.
Brief Description:	The primary goal of the program is to serve students who have not been successful in the regular high school program. The program is intended to meet the needs of students who have diverse behavioral and social/emotional needs but similar learning needs. These students require an alternative approach, which includes core academics, an experiential learning component and outdoor education. The Hillsboro-Deering Alternative Program offers life skills and career exploration, most of which is community-based.

4. PERSONNEL DEVELOPMENT

Ed 1126.01(b)(4)

The District 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, 2015 to June 30, 2020. The master plan is in the process of being updated during the 2022-2023 school year.

The District shall work to promote a climate that encourages the continuing education and training of all staff within the District. 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 District staff, including, but not limited to, job-embedded activities, in-service workshops, and conferences and/or formal coursework reimbursed through the District.

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

- Curriculum Design, Development and Review
- High quality, rigorous instructional design and practice
- High quality assessment design and practices
- Understanding and Using Assessment Data for Instructional Planning
- Competency-based Assessment and Grading
- Social-Emotional Learning
- Trauma Informed Practices and Interventions
- Wellness

PLEASE NOTE: Staff members of the school District 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.

The Appendix includes the SAU #34 School District Professional Development Master Plan.

5. PARENT INVOLVEMENT

Ed 1126.01(b)(5)

Pursuant to Ed 1102.04(h), a parent means a biological or adoptive parent, a surrogate parent, or a guardian pursuant to 34 CFR 300.30 (see PART Ed 1115). Parent does not mean the state when the state has legal guardianship. Any reference the District makes to a parent shall encompass this definition.

The Washington Elementary School District shall actively involve parents in all steps of the special education process. In addition to fulfilling legal requirements, the District recognizes 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 (PART Ed 1120)

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

- 1) upon initial referral or parent request for evaluation;
- 2) upon receipt of the first State complaint and upon the receipt of the first due process complaint in a school year;
- 3) in accordance with discipline procedures; and
- 4) upon request by a parent.

Written Prior Notice

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

- 1) 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
- 2) 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:

- ◆ A description of the action proposed or refused by the District;
- ◆ An explanation of why the District proposes or refuses to take the action;
- ◆ A description of each evaluation, procedure, assessment, record or report the District used as basis for the proposed or refused action;
- ◆ 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, the means by which a copy of the description of the procedural safeguards can be obtained);

- ◆ Sources parents can 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
- ◆ A description of other factors relevant to the District's proposal or refusal.

Ongoing parent involvement is supported through the following actions:

1. Parents shall receive formal notification when their child is referred for special services, except in the case where the parent was the referring party. Procedural Safeguards in Special Education shall be provided to the parent at this time.
2. Within 15 business days of the receipt of the referral, the IEP Team (including the parents) will meet to determine the appropriate course of action.
3. 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 district shall provide Written Prior Notice (WPN) and request written permission to proceed.
4. The evaluation process, including a written summary report, shall be completed within 45 days after receipt of parental permission for testing or at the conclusion of 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 written consent of both parties.
5. 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.
6. 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.
7. 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 prior to its implementation.

8. Parents will receive 10 days' notice for any meetings held for the purpose of developing or amending 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 District 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 afforded the opportunity to participate. This includes scheduling the meeting at a mutually agreed upon time and place. Parents and the District are encouraged to use alternative means of participation, such as video conferencing and conference calls in order to include the parent.

Meetings will be rescheduled at parent request, unless the parent requests that the meeting continue without him or her in attendance. It is recommended that the District 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.

9. 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.
10. The District shall provide copies of all written documents to parents, including Written Prior Notice, evaluation summary report, and IEP.
11. The District shall file a request for 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.
12. 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 District shall immediately enroll the child in school for the purposes of attending classes and participating fully in school activities. The District's 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.
13. A parent, as defined in Ed 1102.04(h), or an adult student may authorize an individual to act on their behalf pursuant to a duly executed power of attorney pursuant to Ed 1120.01(c).

14. The District has the authority to initiate court proceedings to authorize initial provision of services, but a due process hearing may not be used in this circumstance pursuant to Ed 1120.05(d). (If a parent refuses consent for the initial provision of special education services, the District shall not pursue the initial provision of special education services by initiating a due process hearing under PART Ed 1123. The District shall have the authority to initiate court proceedings to authorize the initial provision of special education services.)
15. Districts shall obtain informed parent 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 District of its responsibility to provide services detailed in the IEP pursuant to Ed 1120.08(a)(3).
16. The District, upon a written request for an IEP team meeting by the parent as defined in Ed 1102.04(h) or adult student, shall:
 - a). schedule a mutually agreed upon date and time for the meeting;
 - b). convene the IEP team on the mutually agreed upon date and time; or
 - c). provide the parent or adult student with written prior notice detailing why the District refuses to convene the IEP team that the parent or adult student has requested under Ed 1109.06(b).

6. PUBLIC PARTICIPATION

Ed 1126.01(b)(10)

A copy of the Washington Elementary School District's Special Education Policies and Procedures Manual shall be available for review by parents, other agencies, and the general public. Copies of the Manual shall be located at the SAU Office, 78 School Street, 3rd Floor and at the Washington Elementary School, 62 Wolf Way, Washington, NH 03280.

The Special Education Policies and Procedures Manual shall be reviewed and revised as necessary under the supervision of the Special Education Administrator. When the Manual is under review, the public shall be notified and given a minimum of 30 days to review the information and provide written input. The District shall not be bound by any public comment and must maintain this Manual in accordance with the applicable NH Standards and state and federal statutes.

Notice regarding the availability of this Manual and its revisions shall be disseminated to the public through formal school District postings and notices on the District's webpage at www.hdsd.org.

Each year, the Washington Elementary School District submits its "Annual Request for Federal Special Education Funds" to the NH Department of Education for approval. The District shall provide reasonable opportunities for participation of teachers, parents and other interested agencies, organizations, and individuals in the planning for and operation of this program. Prior to the submission of the application, the public will be notified through formal school District postings and notices on the District's webpage at www.hdsd.org and provided an opportunity to review the information and provide written input.

7. PROCEDURAL SAFEGUARDS

PART Ed 1120

The Washington Elementary School District 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:

1. upon initial referral or parent request for evaluation;
2. upon receipt of the first request for a due process hearing filed in a school year;
3. upon receipt of the first State complaint in a school year;
4. upon the date in which the decision is made to make a removal that constitutes a change in placement of a child with a disability because of a violation of a code of student conduct in accordance with the discipline procedures in 34 CFR § 300.536; or
5. upon request by a parent or adult student.

The New Hampshire Department of Education has created a Procedural Safeguards Handbook, which can be viewed at:

https://www.education.nh.gov/instruction/special_ed/proceduralsafeguards.htm

The District 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 Standards Ed 1120.01 through Ed 1120.08 including, but not limited to, the right to:

- Receive written prior notice of any action regarding their child which the District proposes or refuses;
- Grant or refuse consent for any District action regarding their child;
- Obtain an independent educational evaluation;
- Appeal specific proposals of the District 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. (Ed 1120.01(b)). The District will ensure that relevant special education information is communicated in language that is understandable to the general public and that procedural rights are provided in the native language or other mode of communication used by the parent or adult child.

A parent, as defined in Ed 1102.04(h), or an adult student may authorize an individual to act on their behalf under a duly executed power of attorney pursuant to Ed 1120.01(c).

Written Prior Notice

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

- 1) 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

- 2) 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:

- ◆ A description of the action proposed or refused by the District;
- ◆ An explanation of why the District proposes or refuses to take the action;
- ◆ A description of each evaluation, procedure, assessment, record or report the District used as basis for the proposed or refused action;
- ◆ 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, the means by which a copy of the description of the procedural safeguards can be obtained);
- ◆ Sources parents can 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
- ◆ A description of other factors relevant to the District's proposal or refusal.

Informed Consent

The District shall obtain informed, written consent from the parent of a child with a disability prior to:

- 1) Conducting an initial evaluation;
- 2) The 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;
- 3) Determining or changing the disability classification;
- 4) Changing the nature or extent of the special education or special education and related services;
- 5) Conducting a re-evaluation;
- 6) Accessing public insurance pursuant to 34 CFR § 300.154(d); and
- 7) Annually, after the first access to public insurance under 34 CFR § 100.154(d)(2)(v).

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: 1) consent; 2) consent with conditions; or 3) denial of consent. The 14-day time limit shall be extended if the District and parent mutually agree to an extension.

The District shall advise the parent, in writing, that their signature on the documents describing District actions that require their consent is to ensure the timely provision of appropriate services. Additionally, the District 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 District makes.

The District shall take reasonable measures to obtain consent including, but not limited to, phone contact and letters. The District 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 wherein the parent gives consent in writing shall be provided to the parent, and a copy of such document shall also be placed in the student's educational records.

Should a parent either deny consent or not respond to a request for written consent, the District is required to respond in the ways outlined below.

1. Initial Evaluation

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

2. Initial Provision of Services

The District is 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 District shall not pursue the initial provision of special education services by initiating a due process hearing under PART Ed 1123.

3. Parental Revoking of Consent

If, at any time subsequent to 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, pursuant to 34 CFR § 300.300(b)(4) the school District: 1) may not continue to provide special education and related services to the child, but must provide a written prior notice before ceasing the provision of special and related service; 2) may not use the mediation or due process procedures to obtain an agreement or ruling that the service may be provided to the child; 3) will not be considered in violation of the requirement to make FAPE available to the child and; 4) need not convene the IEP Team meeting or develop an IEP for the child.

4. Re-evaluation and Continuation of Services

The District is 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 District shall implement the proposed changes after the District has taken reasonable measures to obtain informed written consent. If the parent refuses consent for a re-evaluation or the continuation of services, the District shall pursue the re-evaluation or continuation of services through the dispute resolution processes outlined in PART Ed 1122.

5. Other Consent areas

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

Private Insurance - The District 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 District of its responsibility to ensure that all required services are provided at no cost to the parents pursuant to Ed 1120.08.

Release of Records - The district must obtain informed consent for the release of education records. If the parent refuses consent, the district may initiate a court proceeding to obtain a court order for the release of information. See Section 2 – Confidentiality of Information.

Independent Educational Evaluation

Parents shall have the right to request an independent evaluation at the District's expense if they disagree with an evaluation conducted by the District pursuant to Ed 1120.07 and 34 CFR § 300.502. If parents request an independent educational evaluation at public expense, the District 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 District's criteria.

The District may ask for the reason why parents object to the District's evaluation; however, the explanation shall not be required and the District shall not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the District's evaluation. Due process hearings shall be governed by PART Ed 1123.

If a parent obtains an independent educational evaluation at private expense, the District shall consider the results of the evaluation if it meets the District's 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 District uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation pursuant to 34 CFR § 300.502(e)(1). 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 District 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 Standards PART Ed 1121 Complaint Procedures.

Pursuant to PART Ed 1123 Administrative Due Process Hearing Procedure, a due process hearing can be initiated by either party at any time and will be conducted in accordance with the NH Standards. Alternative dispute resolution shall be voluntary and available to parents and the District in accordance with these rules.

File Complaint

Individuals or organizations may report alleged violations of a public agency which 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 Standards PART Ed 1121 Complaint Procedures.

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

Disabilities Rights Center NH

P.O. Box 3660
64 N. Main Street #2, 3rd Floor
Concord, NH 03301
228-0432 (toll free 1-800-834-1721)
Email: mail@drcnh.org
Website: <https://www.drcnh.org>

New Hampshire Legal Assistance

17 No. State Street
Concord, NH 03301
223-9750
Website: <https://www.nhla.org>

New Hampshire Bar Assoc. Pro Bono Referral System

2 Pillsbury Street, Suite 300
Concord, NH 03301
224-6942
Website: <https://www.nhbar.org/legal-services.programs/pro-bono/>

Parent Information Center

54 Old Suncook Road
Concord, NH 03301
224-7005
Website: <https://www.picnh.org>

New Hampshire State Department of Education, Special Education Department

101 Pleasant Street
Concord, NH 03301-3860
271-3741
Website: [https:// www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-student-support/special-education](https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-student-support/special-education)

8. PUPIL EVALUATION TO PLACEMENT

Ed 1126.01(b)(8)

The Washington Elementary School District implements the Special Education Process utilizing the following sequence:

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

REFERRAL (PART Ed 1106)

Any student, age 2.5 to 21 years and suspected of having a disability, may be referred to the District by parents, District personnel, or any other concerned party. A child's parents may also contact their child's teacher(s) or other school professional 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 prior to the evaluation of a child suspected of being a child with a disability, the District shall immediately send written notification of the referral to the parent. Procedural Safeguards will be included with the parent notification.

A meeting will be scheduled and held within 15 business 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 parent, guardian, and/or surrogate parent;
- A representative of the School District 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 at the age of majority and where otherwise appropriate; and
- Other individuals at the discretion of the parent or School District who have knowledge or expertise regarding the child.

This District 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 District 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 (STAT 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 District to obtain this information.
- c. The IEP team shall document its decision 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 District may activate the due process procedures (described in Appendix B – Complaint/Dispute Resolution Procedures; PART Ed 1123). The District 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 (PART 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 re-evaluations, and parents are active participants in the evaluation planning process. Evaluations will be provided based on the suspected disability (or disabilities), and in accordance with the NH Standards. The child's educational history shall be reviewed, including identification of the child's past opportunities to have acquired important skills and information.

The District 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 in order for the District to conduct evaluations as a part of an eligibility determination. If a parent refuses consent to a proposal included in Ed 1120.04, the district shall have the authority to pursue the initiation of a due process hearing under PART Ed 1123 and 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 District shall complete all evaluations within 60 days of receipt of written consent from the parent. When circumstances warrant additional time to complete evaluations, only one extension of UP TO 15 days may be granted upon written consent of the parties. 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 District from another NH District, his/her disability identification will be honored without delay.

If the child is moving into the District 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 in accordance with the NH Standards. 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 Standards, shall be determined within 60 days of receipt of parental permission to evaluate. The student will receive special services in accordance with the out of state IEP during this interim period.

The District shall ensure that evaluation materials and instructions are presented in the child's native language or other mode 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 clearly 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.

Examiners shall be responsible for selecting current assessment tools that have been demonstrated to be reliable and valid. The District 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 District shall ensure that all evaluators are qualified according to the NH Standards. Each evaluator shall prepare a test report reflecting the data and their conclusions.

DETERMINATION OF ELIGIBILITY (PART 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 be forwarded to the parents 5 days prior to the meeting pursuant to Ed 1107.04(d). 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 in accordance with the NH Standards pursuant to PART Ed 1120 and a description of the parent's right to an independent evaluation in accordance with the NH Standards outlined in Ed 1107.03.

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 (34 CFR § 300.307)

The District procedures for evaluations and standards used to evaluate whether a child has a learning disability are outlined in Appendix C – Brief Overview of the Special Education Process – Information for Parents.

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/or
- (3) Other alternative research-based procedures as described in 34 CFR § 300.307(a)(3).

(b) Appendix C – Brief Overview of the Special Education Process – Information for Parents attached hereto outlines the District's policies regarding the evaluation procedures and standards used for evaluating whether a child has a specific learning disability pursuant to 34 CFR § 300.309.

When a child is suspected of having a specific learning disability, the District 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 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 Skill
 - 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 deficit;
 - 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 are academic achievement, observation, and 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. In order 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 prior to, 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 District 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 District):

1. if, prior to a referral, the child has not made adequate progress after an appropriate period of time when provided instruction; and
2. whenever a child is referred for an evaluation.

OBSERVATION (34 CFR § 300.310)

- 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 district 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 (34 CFR § 300.311)

- 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, and the relationship of that behavior to the child's academic functioning;
 4. Educationally relevant medical findings, if any;
 5. Whether the child:
 - a) does not achieve adequately for the child's age or to meet State-approved, grade-level standards; and either
 - i) the child does not make sufficient progress to meet age or State-level standards; or
 - ii) 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; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level; and
 7. If the child has participated in a process that assesses the child's response to scientific, research-based intervention:
 - a) the instructional strategies used, data collected; and
 - b) the documentation that the child's parents were notified about:
 - i) the State's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
 - ii) strategies for increasing the child's rate of learning; and
 - iii) the parent's 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 District shall ensure that a re-evaluation 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 District. If parents request an independent educational evaluation at public expense, the District shall either: 1) initiate a due process hearing to show that its evaluation is appropriate; or 2) 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 District's criteria.

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

If a parent obtains an independent educational evaluation at private expense, the District shall consider the results of the evaluation if it meets the District's 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 District 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 District, 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) (PART 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 District 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 District 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 District 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 (Ed 1103.01 and 34 CFR § 300:321)

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:
 - 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. 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 District);
7. Transition service representative, if applicable; and
8. If appropriate, the child with the disability.

A team member may be excused from the whole or part of the meeting if the parent and the District agree the member's area of curriculum or related services is not being modified or discussed. The District or parent 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(e)).

The team member may be excused only if the parent and the District 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 under 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 supports 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 in 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 District 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 District 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 DISTRICT shall provide a private school or non-district 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 District shall maintain written evidence documenting implementation of the child's IEP pursuant to Ed 1109.04(b), including, but not limited to:

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 District shall conduct annually, at or near the end of the term of the IEP, a meeting for the purpose of assessing the effectiveness of the present program, and to design an IEP, including Extended Year Services if determined by the IEP team to be necessary for FAPE.

The District 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 subsequent to 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 of special education and related services, the district:

- may not continue to provide special education and related services to the child;
- will provide a 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 initial provision of such services, the District shall initiate a due process hearing as specified in PART 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 district transfers to the Washington Elementary School District during the same year, the District shall consult with the child's parents and provide services comparable to those described in the child's IEP from the previous District, until it either adopts the child's previous IEP, or develops, adopts and implements a new IEP for the student. (34 CFR § 300.323(e)).

If a child with a disability transfers from a district outside of New Hampshire, the Washington Elementary School District shall additionally determine if an evaluation is necessary in order to complete the previously described IEP process for the new student. The District shall provide a free appropriate public education, including services comparable to those described in the child's IEP from the previous District, during this process. (34 CFR § 300.323(f)).

MONITORING AND RE-EVALUATION (Ed 1109.06)

The District shall develop and implement procedures to ensure that IEPs are monitored in a regular and systematic manner. 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 in accordance with 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 which 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 District 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 District refuses to convene the requested meeting. All of the above must be completed within 21 days pursuant to Ed 1109.06(b)(3).

Both IDEA, 34 CFR § 300.324(a)(4), and NH Standards allow the parents and District 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

Pursuant to PART Ed 1111, the District 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 removal 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 (Ed 1103.01 and 34 CFR § 300:321)

The IEP Team (including the parents) shall make placement decisions in accordance with 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 District);
6. Transition service representative if applicable; and
7. If appropriate, the child with the disability.

Placement Decisions (PART Ed 1111 and 34 CFR § 300.116)

The decision where a child with a disability receives supports and services shall occur after the development and approval of the IEP. The placement decision shall be based on the unique educational needs of the child as specified in the IEP 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. 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 § 300.116, special classes, separate schooling, or other removal 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 1111.03)

The District shall offer a continuum of alternative learning environments from least restrictive to most restrictive for ages 3-5 and ages 6-21 pursuant to Table 1100.2 and Table 1100.3 of the NH Standards. 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 pursuant to Ed 1111.02.

Each child's educational placement shall be reviewed annually and shall be based on his/her 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 pursuant to 34 CFR § 300.116.

The District 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, etc.).

The District shall ensure that parents are afforded the same notification for placement meetings as they receive for IEP meetings, including a minimum of 10-day notice, unless the 10-day notice requirement is waived in writing. Special education placements shall require written consent from parents prior to 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.

HOME INSTRUCTION (Ed 1111.04)

The District shall provide students with home instruction as follows:

1. Preschool students with disabilities may receive all or a portion of their special education program at home, depending upon the need as specified in the IEP.
2. Children with disabilities ages 6-22 may receive a home instruction program on a temporary basis. Such programs shall minimally include 10 hours per week of specially designed instruction as specified in the student's IEP and shall also include educationally related services as specified in the student's IEP. Related services to be provided shall be in addition to the 10 hours of specially designed instruction. Services shall be implemented by qualified personnel.
3. Home instruction for children at least 6 years of age but less than 22 years of age shall offer access to the general curriculum and allow students to participate with non-disabled children to the maximum extent appropriate to the need of the student pursuant to 34 CFR § 300.114(a)(2)(i) and Ed 1111.04(e).
4. Pursuant to Ed 1111.04(e), a child's placement is determined at least annually and is based on the child's IEP.
5. Home-based programs described in Ed 1111.04(c) shall not include parent designed home education programs as authorized in PART Ed 315.
6. A child with a disability who is in a hospital or institution shall receive special education or special education and educationally related services in that setting.

EXTENDED SCHOOL YEAR SERVICES (ESY) (PART 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 in accordance with the child's IEP, and at no cost to the parents of the child. The District shall ensure that ESY services will be available as necessary to provide each child with a disability a free, appropriate public education (FAPE) pursuant to 34 CFR § 300.106.

The child's IEP team shall determine the child's need for extended school year services. The District shall not limit extended school year services to particular categories of disability or unilaterally limit the type, amount or duration of those services. The District 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-district programs shall be supervised on site by appropriately certified District personnel no less than once a week as required under 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 agreement to the 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.

Preschool children with disabilities may receive their special education program in any of the environments listed in Table 1100.2 of the NH Standards as follows:

Table 1100.2 Continuum of Alternative Educational Environments – Ages 3-5

<u>Preschool Educational Environments</u>	<u>Description</u>
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.

Children ages 6-22 may receive their special education program at any of the environments listed in Table 1100.3 of the NH Standards as follows:

Table 1100.3 Continuum of Alternative Educational Environments – Ages 6-22

<u>Educational Environments</u>	<u>Description</u>
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.

9. STATE DEPARTMENT OF EDUCATION MONITORING OF EDUCATIONAL SERVICES AND PROGRAMS FOR CHILDREN WITH DISABILITIES

Ed 1126.01(b)(9)

The Washington Elementary School District is committed to providing effective, high-quality special education services to all children with disabilities. The District continually evaluates the special education and educationally related services it provides to children with disabilities to ensure that all students' unique needs are met.

The District determines, 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 District also identifies program deficiencies and plans for future needs.

Evaluation of the overall functioning, efficiency and success of the special education programs offered by the District 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.

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; and
- Student movement from more restrictive to less restrictive educational settings.

General Program Impact

Participation in state and district-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 Washington Elementary School District ensures that all students with disabilities have the opportunity to participate in state and district-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.

In a similar manner, the IEP team determines alternate forms for district-wide assessments to be provided for all eligible students.

Results of group assessments are formally analyzed by District staff to determine trends and patterns that may reflect areas in need of improvement. Instructional decisions are made in accordance with the analysis of assessment results in order to more effectively meet the needs all students. Alternate assessments are examined in order 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; and
- New Hampshire Special Education Information System data.

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 District professional development activities.

All professional and paraprofessional staff members within the District 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 evaluations, etc. In this way, the Hillsboro-Deering School District ensures that all staff may continue to improve their knowledge and skills in order 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 School District 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.

10. OTHER AGENCIES

It is the practice of the Washington Elementary School District to coordinate its efforts with other local and state agencies whenever possible, in order to meet the needs of children with disabilities and their families.

The District shall work cooperatively with all social service or other agencies within the surrounding area that provide medical, mental health, welfare, and other human services. Formal relationships with agencies are typically established through the Assistant Superintendent's office.

The Assistant Superintendent shall contact all public and private agencies to explain the District's 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 District's special education procedures as detailed in the Manual under Section 1: Child Find.

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

The District shall assure the provision of a free, appropriate public education to: 1) children who have or might have disabilities that are in residential placement or placements awaiting disposition of the courts; and 2) committed juvenile students who have or might have disabilities to the extent that such students are not covered under PART Ed 1126. The District shall assure compliance with all regulations and procedures established under the NH Standards – Ed 1105.03.

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 District 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 the third birthday.

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

11. PARENTALLY PLACED CHILDREN WITH DISABILITIES

PART Ed 1112

The Washington Elementary School District shall ensure that children with disabilities who are placed by their parents in private schools have equitable participation in special education programs pursuant to state and federal regulations.

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

On an annual basis, the District 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 District’s 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 District. The District 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 District each year. This notice fulfills the District’s obligation to invite representatives of parents of the children with disabilities who are enrolled in the school to the consultation meeting.

Consultation

The District conducts timely and meaningful consultation with representatives of private schools and representatives of parents of parentally placed private school children with disabilities in order to design and develop special education and related services for eligible children who attend private schools within the District. 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 District 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 District documents the decisions these decisions on the **Affirmation of Consultation** form. The completed form is sent to each private school providing and rationale of the District's decisions.

Provision of Services

Services to parentally placed private school children are provided by personnel meeting the same standards as those required in the District. Eligible children have no individual right to services and they may receive different amounts of services than those provided to students in the 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.

12. INSTRUCTIONAL MATERIALS IN ACCESSIBLE FORMAT

Ed 1126.01(b)(12)

The Washington Elementary School District ensures that children with disabilities who need instructional materials in accessible formats will receive those materials, as set forth in their IEP's or dictated by their disabilities, at the same time other non-disabled children receive their instructional materials. This shall include evaluation materials provided and administered in a child's native language or other mode of communication and in a form most likely to yield accurate information, and shall be selected and administered so as not to be discriminatory on a racial or cultural basis.

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

13. DISCIPLINE PROCEDURES

PART Ed 1124 and 34 CFR § 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 in accordance with the discipline policy of the District 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 District 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 in excess of 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 District, 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 District 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 District, 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 District 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 jurisdiction of a state educational agency (SEA) or District;
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 an SEA or District; or
3. Inflicted serious bodily injury* upon another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or District.

*Serious Bodily Injury as defined in 18 USC § 1365(h)(3) means a bodily injury that involves a 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 District shall notify the parents of the decision and of the procedural safeguards. If parents disagree with the decision and request and appeal, the child shall remain in the alternative setting pending the appeal.

If there is a disagreement with the parents, the District 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 to 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 District had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The District will consider cases on an individual basis and in accordance with 34 CFR § 300.534 – Protections for Children Not Determined Eligible for Special Education and Related Services.

Nothing in this part will prohibit employees of the District 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 with regard to the application of Federal and State law to crimes committed by a child with a disability. If the District reports a crime committed by a child with a disability, then the District 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 Washington Elementary School District will comply with the attendance and behavior expectations and rules of the schools. The District shall not discriminate against anyone on the basis of 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 IEP Team will convene and review and/or revise the student's IEP as appropriate.

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

