

**New Hampshire Department of Education  
Bureau of Special Education  
Special Education Program Approval and Improvement Process**

*The Mission of Special Education Program Approval is:  
To improve educational results for all learners.*

**2010-2011 Year End Summary Report  
December 21, 2011**

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## SECTION 1: INTRODUCTION

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*We must not, in trying to think about how we can make a big difference, ignore the small daily differences we can make which, over time, add up to big differences that we often cannot foresee. ~Marian Wright Edelman*

This 2010-2011 year end report for the New Hampshire Department of Education Special Education Program Approval and Improvement Process is intended to summarize the work of the program approval team as outlined in the agreed upon contract. Additionally the document provides an overview of the data that has been collected through all monitoring activities, and includes feedback that has been collected from a variety of stakeholders. The data contained in the report is utilized by the NHDOE in monitoring specific indicators from the State Performance Plan (SPP).

This summary report is not intended to be a statistic text but demonstrates data collected through the NHDOE Special Education Program Approval and Improvement Process and can be used by the NHDOE as a reference tool to better understand the systemic challenges that are faced by the school districts and private special education schools that were monitored during the 2010-11 school year.

The purpose of the report that follows is threefold:

- To portray the big picture of the NHDOE Special Education Program Approval Process and the allegiance that the NHDOE Bureau of Special Education has to continuous improvement by monitoring school systems and holding them accountable to improved student learning outcomes
- To provide an overview and summary of the work conducted by the NHDOE Special Education Program Approval Team as directed by the goals outlined in the contract with SERESC
- To offer a summary and analysis of the data collected through the NHDOE Program Approval and Improvement Process

The report that follows is also intended to capture the work of the NHDOE Program Approval Management Team, the data collected, and how such data was utilized and monitored. In addition, the report represents the significant work that was conducted by school districts and private special education schools, as they internalize and perpetuate the processes set for by the NHDOE, Special Education Program Approval Activities. Although this report is being written on behalf of the NHDOE, Bureau of Special Education, the document clearly reflects the Bureau's ability to integrate and align their work with several significant NHDOE initiatives (e.g., SINI and DINI Planning, Restructuring, use of Performance Plus, Rtl, NH Curriculum Frameworks, GLEs / GSEs, and the SPP).

The summary that follows provides a "snapshot" of the management team work, including the data collection activities conducted, many of which are intended to strengthen the systemic knowledge of ensured access, participation and progress in the general education curriculum for students with disabilities. With the enactment of No Child Left Behind (NCLB), data analysis is no longer optional, and achieving quality programs and services

comes from careful measurement of all aspects of the system. The work of the NHDOE Program Approval and Improvement Process has taken LEAs and private special education schools deep into the use of data, including but not limited to student learning data, operational data and research to identify and uncover powerful solutions to some of their greatest challenges.

In conclusion, the NHDOE Program Approval and Improvement Process continues to work collaboratively with LEAs and private special education schools in making a collective call for accountability, and demonstration of full compliance with state and federal special education rules and regulations. The process calls for sustained, substantive school improvement and helping systems develop their capacity to improve results for all learners. The work conducted through the Program Approval and Improvement Process continues to provide school systems with the specific tools and strategies to do exactly what is outlined above. The NHDOE Special Education Program Approval activities continue to be designed to initiate data driven decision making efforts, bring forth the urgency to rise above looking at individual test scores to longitudinal analyses and the further exploration of multiple data sources, i.e. demographic data, perceptual data and process data that can greatly impact and influence the “achievement gap”. The mission, vision, tools and methods described in this summary report are used in a variety of ways to support school districts and private special education schools as they align with NHDOE priorities. The emphasis of all NHDOE Bureau of Special Education monitoring activities is focused on continuous improvement of the entire learning organization, and to ensure that all requirements of programming are met for all students.

SECTION 2: GOALS, OBJECTIVES, ACTIVITIES, OUTPUT & OUTCOMES

**NEW HAMPSHIRE DEPARTMENT OF EDUCATION**  
**SPECIAL EDUCATION PROGRAM APPROVAL AND IMPROVEMENT PROCESS**  
**YEAR END REPORT**  
**FY 2010-2011**

**Goals: The goals listed below are aligned with the requirements of the NHDOE RFP for the 2010-2011 Special Education Program Approval Process**

Goal 1: To establish and maintain an effective New Hampshire Special Education Program Approval and Improvement Process that aligns with IDEA 2004, supports the priorities identified in the State Performance Plan (SPP) and includes an expanded parent role, to ensure that all NH children and youth with disabilities have a free appropriate public education (FAPE) in the least restrictive environment (LRE) that promotes a high quality education.

Goal 2: To work collaboratively with NHDOE, Bureau of Special Education and key NH Stakeholders in the design of an effective, data driven Focused Monitoring System (FMS) that includes an expanded parent role and ensures all NH children and youth with disabilities an opportunity to receive FAPE in the LRE that promotes a high quality education.

Goal 3: To establish and maintain an effective, accessible data collection process and system that yields statewide data obtained through the Program Approval and Improvement Process.

**GOAL 1:** To establish and maintain an effective Special Education Program Approval and Improvement Process that aligns with IDEA 2004, supports the priorities identified in the NHDOE State Performance Plan (SPP) and includes an expanded parent role, to ensure that all NH children and youth with disabilities have a free appropriate public education (FAPE) in the least restrictive environment (LRE) that promotes a high quality education.

Project Objective	Proposed Activity	Short-Term Output	Outcomes
1. Hire qualified personnel to be responsible for the	Hire a project manager, highly qualified consultants and project assistants for	Staffing completed for highly qualified team. (See appendix for staff	Project is effectively managed, and scope of work was completed for the

project.	management team.	list.)	2010-2011 school year.
2. Maintain an updated database of general and special educators, related service providers, administrators, parents, and other qualified individuals to be recruited as volunteer visiting team members.	Recruit volunteers through print and electronic means; review and match skills to activities of the project and design an orientation process and materials to support members. (See Volunteer Form in appendix)	15 volunteers were utilized to assist in the NHDOE Case Study Compliance Review Process during 2010-2011; an additional 12 volunteers were utilized for the Focused Monitoring IEP Reviews.  Orientation for volunteers is provided the first morning of each Case Study Compliance Review Visit or FM IEP Compliance Review. Before the visit, visiting team members receive mailed information used to guide the orientation session. (See Volunteer Manual and IEP Review Documents in appendix)	Volunteers were oriented to the project and had the requisite knowledge and skills to perform effectively in their roles. Feedback from the volunteers was collected, summarized and is included in this report.
<b>Project Objective</b>	<b>Proposed Activity</b>	<b>Short-Term Output</b>	<b>Outcomes</b>
	Work with each site on the interpretation of parent survey data.	Program Approval Team member assigned to work with district/private school ensured that all data was collected, summarized and analyzed.	Both Focused Monitoring and The Case Study Compliance Review have required parent participation.  In Focused Monitoring, parents are recruited to participate on Focused Monitoring Achievement

			<p>Teams and orientation/ training/ professional development for these teams is ongoing. Evidence of parent engagement is summarized in each of the District Focused Monitoring Summary Reports.</p> <p>In the Case Study Compliance Review Process (used with Private Special Education Schools), parents are invited to participate in all aspects of the Case Study Process. In addition, the private schools are required to survey parents, utilizing a tool developed by the NHDOE/SERESC. (See parent survey in appendix)</p>
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Project Objective	Proposed Activity	Short-Term Output	Outcomes
<p>3. Provide high quality technical assistance, support and professional development to all NH public and approved private schools as they participate in the NHDOE Special Education Program Approval and Improvement Process, including: Case Study Compliance Reviews, Focused Monitoring IEP Reviews, Corrective Action Process, Audit Visits, New Program Approvals, technical assistance to identified sites for intensive year long support, other monitoring, written correspondence and reports for all.</p>	<p>Correspond with schools due for approval; conduct statewide information sessions in the spring with overview and explanation of the Case Study and Focused Monitoring processes.</p>	<p>On April 6, 2011, eighteen NHDOE approved special education schools/programs participated in the NHDOE Special Education Program Approval Spring Information Session for private schools due to participate in Case Study Compliance Reviews in 2011-2012.</p> <p>In addition, on May 4, 2011 an Information Session was held for the five new sites selected for Focused Monitoring in 2011-2012.</p>	<p>Forty-six representatives from, Antrim Girls Shelter, Birchtree Center, Clearway High School, Eckerd Youth Alternatives, all NH NFI – North Shelters, Pine Haven Boys Center, Regional Services and Education Center, Second Start, Seacoast Learning Collaborative, and Wediko Children’s Services attended the session and completed evaluations. Technical Assistants were assigned to each school and follow up meetings with administration were scheduled.</p> <p>Nineteen representatives from Nashua, Londonderry, Pelham, Newmarket, Seabrook and Mason attended the FM orientation and completed evaluations. Technical Assistants were assigned to each school and follow up meetings with administration were scheduled.</p>

<b>Project Objective</b>	<b>Proposed Activity</b>	<b>Short-Term Output</b>	<b>Outcomes</b>
		IEP Compliance Reviews were conducted at the 6 Focused Monitoring sites during 2010-2011.	Ninety-three student records were reviewed through FM IEP Reviews. As a result of these reviews, Findings of Non-Compliance were noted in the summary reports, and corrective action reports were filed, approved and monitored by the NHDOE.
	Summarize findings and write reports for all NHDOE Case Study Compliance Reviews Conducted.		All reports have been submitted to the NHDOE and are available on the Program Approval Web Site.
	Conduct and write summary reports for Corrective Action Visits conducted to sites undergoing the approval process the previous year.	During the 2010-2011 School year, Corrective Action Follow-Up Visits were conducted at the fourteen 2009-2010 Case Study sites. Each site was re-visited within one year from the date on their report to assess their progress in their areas of Findings of Non-Compliance and suggestions for improvement. Where needed, a second follow-up visit was conducted.	Data was collected, summarized and provided to the NHDOE on a regular basis through a Corrective Action Spreadsheet.

Project Objective	Proposed Activity	Short-Term Output	Outcomes
	<p>Conduct and write summary reports for audit/monitoring visits during each school year, in addition to providing intensive technical assistance to sites and conducting random monitoring visits.</p>		<p>In collaboration with the NHDOE, the management team assisted with audit visits, which were summarized and the findings provided to the Bureau of Special Education. In addition, technical assistance, as directed by the NHDOE Bureau of Special Education, was provided by the management team.</p>
	<p>Work collaboratively with the NHDOE to provide technical assistance to all public, private and charter schools requesting approval for new special education programs or changes to existing approved programs.</p>	<p>During the 2010-2011 school year, there were 49 requests for application materials for establishment of new special education programs or changes to existing approved programs.</p>	<p>Applications were reviewed and processed, visits conducted and summary reports provided to the NHDOE. Current status of each of the programs is listed in Section 5 of this report.</p>
	<p>Work collaboratively with various NHDOE Statewide Early Childhood Initiatives (e.g. PTAN, Preschool Settings, Curriculum, New State Rules) in the dissemination of information and networking within the field.</p>		<p>The NHDOE Program Approval Management Team has one member responsible as the liaison to the NHDOE in regard to early childhood education issues. In addition, this individual maintains communication with all of related organizations/ initiatives specific to early learning and students with disabilities.</p>

Project Objective	Proposed Activity	Short-Term Output	Outcomes
			All of the preschool work was fully integrated into all program approval activities and documented in reports and correspondence with the NHDOE, Bureau of Special Education.
4. Design a model for communication between the Program Approval Management Team and NHDOE liaisons and consultants to ensure alignment of priorities in IDEA 2004.	Schedule and conduct regular meetings with the Program Approval Management Team, NHDOE and others re: corrective actions, early childhood education and other Program Approval activities; continue and expand ongoing exchange of information to ensure effective communication.	The Program Approval Management Team met at least once per month during 2010-2011. Additional meetings were scheduled as necessary.	Monthly Program Approval Management Team meetings resulted in an ongoing open line of communication with the NHDOE, Bureau of Special Education. In addition, weekly meetings/phone conferences were held between the project director and the Bureau Administrator in order ensure full engagement of the NHDOE in all program approval activities.
	<p>Management Team will attend:</p> <ul style="list-style-type: none"> <li>• Trainings/events as requested by NHDOE</li> <li>• Meetings with Bureau consultants</li> <li>• Quarterly Senior Management Team</li> </ul>	During the 2010-2011 school year, the NHDOE Program Approval Management Team participated in several professional development activities as requested by the NHDOE. These included: SINI/DINI/Restructuring Meetings, Round Table Discussions, meetings with the Bureau of Accountability, Rtl trainings,	Attendance and representation at meetings assists the NHDOE in ensuring that Special Education Program Approval is linked and aligned to other statewide initiatives, that the Special Education Program Approval Process is represented

	Meetings	early childhood meetings, transition planning sessions, etc.	when necessary, and that the field and other key professional organizations are kept abreast of the work of the Program Approval Team.
		During 2010-11, Sr. Management Team Meetings have been increased from monthly to weekly. These calls include the Bureau Administrator, the project director, the NHDOE Program Approval Representative from the NHDOE and others as appropriate.	By increasing the frequency of the Sr. Management Team meetings the results are improved communication and participation of the upper administration at the NHDOE. The meetings also ensure that the NHDOE is immediately aware of critical issues identified through the Special Education Program Approval Process.
	Maintain a webpage with all Program Approval information and forms.	Web pages with current program approval information are available to the NHDOE and to the field.	All NHDOE Special Education Program Approval descriptions and documents are posted on the website and can be downloaded for use.
5. Design and revise all forms and documents necessary for the implementation of the Case Study Review Process and the Focused Monitoring Process.	Conduct a thorough review and revision of all forms annually; created new forms as needed; provide all forms in print and electronic format, including on website.	Forms revised and provided to the field in both electronic and print format.  During the 2010-2011 school year, the Program Approval Management Team worked with the NHDOE in the revision of Case Study, Non-public and Focused Monitoring Approval	Case Study, Non-public and Focused Monitoring templates were revised/updated and distributed to all 2010-2011 sites.  Documents are in compliance with current NHDOE requirements for

		Templates.	Program Approval.
6. Oversee all expenditures and ensure responsible use of funds.	Maintain financial records.  Review/approve all NHDOE Special Education Program Approval Process expenditures.	Complete financial records and appropriate use of funds.	Detailed Monthly invoices were submitted to the NHDOE, insuring that funds are expended appropriately and in a timely manner.

**GOAL 2: To work collaboratively with the New Hampshire Department of Education, Bureau of Special Education and key New Hampshire stakeholders in the design of an effective, data driven Focused Monitoring System that includes a parent role and ensures all New Hampshire children and youth with disabilities an opportunity to receive a free appropriate public education (FAPE) in the least restrictive environment (LRE) that promotes a high quality education.**

Project Objective	Proposed Activity	Short-Term Output	Outcomes
1. Work collaboratively with all relevant stakeholders in the continued design and implementation of a Focused Monitoring System.	Continue participation in all Focused Monitoring activities, including, but not limited to: Focused Monitoring Stakeholder Group Conferences, meetings and work sessions, as requested by the NHDOE	During the 2010-2011 school year, the Program Approval Management Team members participated in varied collaborative opportunities with the NHDOE, including but not limited to: SINI/DINI/Restructuring trainings, round table discussions that involved districts identified to participate in Focused Monitoring, RtI training, NH Responds, Indicator 13 Transition planning training, work with Performance Plus.	Participation resulted in ensuring that the management team is being provided with input from various stakeholders, and also serves as a vehicle for distribution of information related to Focused Monitoring. The information gathered from such meetings is used as part of the technical assistance provided to the field.
	Work with the NHDOE in the review of available data and identification of Focused Monitoring sites for 2011-12.	Five new Focused Monitoring districts were selected by the NHDOE Bureau of Special Education with Nashua continuing as the 6 <sup>th</sup> site, for 2011-2012,	Selected districts were notified by the NHDOE Bureau of Special Education and the Program Approval Team.

		based on the “achievement gap”.	
	Help revise and update the protocols and materials and related professional development activities as needed for Focused Monitoring sites.	All Focused Monitoring Materials developed during the pilot year were refined and distributed for use with future FM Districts.	The Focused Monitoring Process is further developed, and updated each year along with Tools, Templates and resource materials for use with Focused Monitoring Sites.
<b>Project Objective</b>	<b>Proposed Activity</b>	<b>Short-Term Output</b>	<b>Outcomes</b>
	Work with the Focused Monitoring sites to carry out data collection activities, and offer ongoing technical assistance for those targeted sites participating in the Focused Monitoring Process, including: providing professional development and technical assistance to all sites to prepare administration and staff, including preschool coordinators, for conducting and presenting the compliance component; conducting the selection of random IEPs for the compliance component; establishing a schedule for the process that includes the Compliance Visit; guiding the Improvement Planning and Corrective Action Process as a critical outcome; and providing other technical assistance	Two technical assistants from the NHDOE Program Approval Team were assigned to each of the Focused Monitoring Districts.	Technical assistance was provided on site through facilitation of Achievement Team and Leadership Team meetings and guidance with all data collection activities.

	and support as needed.		
<b>Project Objective</b>	<b>Proposed Activity</b>	<b>Short-Term Output</b>	<b>Outcomes</b>
	Offer technical assistance and professional development for Focused Monitoring Sites, including Networking Sessions.	<p>Professional development was provided to each district to accompany the Focused Monitoring materials and involvement in the yearlong process.</p> <p>As part of the professional development for Achievement Teams, course credit was offered for those team members who elected to enroll in a Plymouth State University course- AD5560 Aligning Educational Initiatives to Student Outcomes through Data Analysis. (See course description in appendix.)</p>	<p>Professional Development was designed specific to each Achievement Team, and their related data collection activities. Sample professional development included data driven decision making, Professional Learning Communities, Performance Plus, gathering and analyzing of quantitative and qualitative data.</p> <p>The Management Team Members served as Adjunct Faculty Members for Plymouth State University, and were responsible for instruction and monitoring of AD5560, Aligning Educational Initiatives to Student Outcomes through Data Analysis.</p> <p>In addition, the Management Team conducted four</p>

			<p>Focused Monitoring Symposia, outlining each step of the process and giving the six FM Districts an opportunity to work together and exchange information. During the 2010-11 school year, the Symposia were focused upon “leadership” and the role of school leaders in the Focused Monitoring Process. Summaries of all Focused Monitoring Activities are included in the Final Report for each site, submitted to the NHDOE Bureau of Special Education. Agendas of the sessions are included in the appendix of this report.</p>
<b>Project Objective</b>	<b>Proposed Activity</b>	<b>Short-Term Output</b>	<b>Outcomes</b>
	<p>Conduct technical assistance visits to monitor Improvement Plans for 2009-2010 Focused Monitoring sites.</p>	<p>During the 2010-2011 school year, technical assistance continued for the purpose of assisting previous year FM districts in monitoring of Improvement Plans and progress made in addressing the achievement gap that exists between students with disabilities and their non-disabled peers.</p>	<p>Visits were completed, Improvement plans and Corrective Action Plans were reviewed and progress indicated with updated information sent to the NHDOE on a Compliance Spreadsheet.</p>
	<p>Attend required DINI facilitator meetings, facilitator trainings and</p>	<p>The Program Approval Management Team continued to work with the</p>	<p>SINI/DINI meetings / trainings were specific to each individual district</p>

	other associated NHDOE DINI events.	NHDOE in aligning FM with NHDOE priorities. Upon request, all trainings and professional development offerings related to NHDOE priorities were attended by representative management team members.	and reflected in meeting minutes.
2. Work collaboratively with the NHDOE and parent representatives from each site to identify meaningful roles for parents in the development of Focused Monitoring activities and the design of materials and an effective training component.	In collaboration with the focused monitoring sites and representatives from key parent groups continue networking sessions.	Parents were full members on Focused Monitoring Achievement Teams. Parents on the teams were responsible for assisting in the design of future involvement of parents in Focused Monitoring.	Each District was required to have parent representation in Focused Monitoring Data Collection Activities.  Parents participating in Focused Monitoring are full participants in the Achievement Team Activities.

**Goal 3: To establish and maintain an effective, accessible data collection process and system that yields statewide data obtained through the Program Approval and Improvement Process.**

<b>Project Objective</b>	<b>Proposed Activity</b>	<b>Short-Term Output</b>	<b>Outcome</b>
1. Collect data and maintain databases that support compliance with IDEA 2004 and provide information for NHDOE related to the APR, and respond to key indicators outlined in the Focused Monitoring	To identify data, with NHDOE, to be collected related to IDEA 2004 and the APR.	Data Collection from Case Study Visits and Focused Monitoring IEP Reviews	Data is summarized and provided to the NHDOE for identification of statewide trends. See the following pages in this report for data summary, including patterns and trends.

Process.			
	Report annually on patterns and trends, including incidences of noncompliance and status of corrective actions.	<p>Patterns and trends derived from collected data are reported annually</p> <p>Results of Follow-Up Corrective Action Visits to private schools and Focused Monitoring Schools are entered into a database and spreadsheet.</p>	<p>Patterns and trends are noted on the following pages of this report.</p> <p>Results of follow up Corrective Action Visits have been entered into a spreadsheet and provided to the NHDOE, Bureau of Special Education.</p>

## SECTION 3: NHDOE FOCUSED MONITORING:

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***The goal of Focused Monitoring is to support improved learning results for all students and to narrow the achievement gap between students with disabilities and their non-disabled peers. The work of Focused Monitoring is grounded in research and in a set of operating principles designed to provide practical guidance to districts working to build or sustain a competent school system.***

During the 2010-2011 school year, the NHDOE, Bureau of Special Education worked with SERESC and NH school districts in the continued refinement of the Focused Monitoring Process. As identified by the NHDOE and a key stakeholder group, Focused Monitoring was designed to address a key performance indicator, the achievement gap that exists between students with disabilities and their non-disabled peers. The Focused Monitoring Process, as designed by the NHDOE, is meant to engage school districts in data driven decisions, action research and working together in the continuous cycle of analyzing data, identifying areas for improvement and supporting systems changes. The school districts participating in Focused Monitoring during the 2010-2011 school year received ongoing technical assistance to begin to address the critical question: *“What are the contributing factors to the achievement gap between students with disabilities and their non-disabled peers, and how will this gap be narrowed?”*

In addressing the question each Focused Monitoring district was required to make several significant shifts: from unconnected thinking to systems thinking, from an environment of isolation to one of collegiality, from perceptions and assumptions to data driven reality, and from individual autonomy to collective accountability for all students. Listed below is a description of Focused Monitoring:

### **Purpose:**

The purpose of the Focused Monitoring process is to improve educational results and functional outcomes for all children with disabilities by maximizing resources and emphasizing important variables in order to increase the probability of improved results.

### **Core Concepts:**

- Focusing on one or more Key Performance Indicators (KPI) - In New Hampshire, the KPI has been identified as “the achievement gap” between students with disabilities and their non-disabled peers.
- Targeting resources for continuous improvement where most needed and discontinuing a cyclical model of review.
- Monitoring compliance of what is important and achievable for educational benefit rather than a review of “everything” - Only priority areas of special education compliance will be monitored.
- Becoming the accountability and management system that supports measurable, continuous systemic improvement.

### **Essential Study Question:**

*What are the contributing factors to the achievement gap between students with disabilities and their non-disabled peers, and how will this gap be narrowed?*

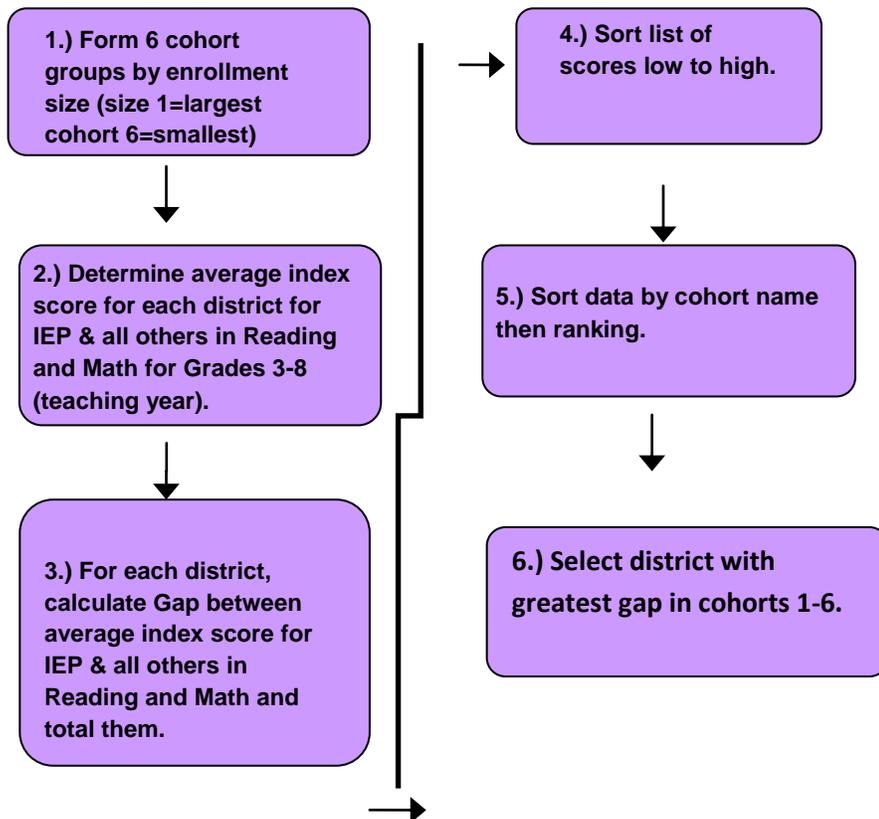
### **Study Process:**

Each participating FM district is required to assemble an Achievement Team that is broadly representative of its educational system. The team typically includes district administrators, both general and special educators, parent members and one member experienced in data analysis. During the 2010-2011 school year, teams met regularly to collect and analyze existing and new student performance data, both qualitative and quantitative, in order to answer the essential study question. As a result of the process, each team produced a set of findings from its analysis of data and prepared an action plan for improvement for implementation in 2011-2012 and beyond. Each achievement team was assisted in its work by at least two technical assistants provided by the NHDOE. The Achievement Team in each district followed an inquiry process adapted from sources such as, *Developing an Effective School Plan*, by WestEd, Van Houten, Miyasaka, Agullard and Zimmerman, and *Understanding Gaps in Student Performance: Root Cause Analysis* by Education Development Center, Inc., used by the New Hampshire Department of Education in collaboration with The New England Comprehensive Center in the SINI, DINI and Restructuring Process.

**Parent and Student Involvement in the Focused Monitoring Process:**

The Focused Monitoring process supports increased parent involvement in two ways: by involving parents as participants on the Achievement Team and in the work of the team through survey and focus groups, and by involving parents of students with disabilities more deeply in their child’s education. The Focused Monitoring process will also support greater student involvement, for example, through student focus groups and/or surveys.

The Focused Monitoring Process of Selection is illustrated graphically below:



Focused Monitoring selection for October 2010 NECAP testing:

- Use NECAP Assessment results for October 2010
- Determine district by:
  - If *SpringDistrict* code is OOD then
  - Use *SpringSendingDistrictCode*
- Select students from grade 3-8 where
  - Continuously enrolled in the Spring district
- Determine student index score from scaled score
- Include student in Math and Combined Calculations when
  - Achieved a valid achievement level in Math and
  - continuously enrolled in spring district
- Include student in Reading and Combined Calculations when
  - Achieved a valid achievement level in Reading and
  - continuously enrolled in spring district
- For each district Group students by
  - IEP
  - All others
- Determine total index score for each district each group – IEP, NoIEP for
  - Combined (reading and math)
  - Math
  - Reading
- Determine Average Index score for each district, each group (IEP, NoIEP), each subject (reading, Math, Combined)
  - Total Index Score / number of students continuously enrolled in spring district
- Rank districts lowest to highest by difference (higher rank = higher difference) BY
  - Sum
    - (difference between average index score for students with an IEP in reading and average index score for students without an IEP in reading ) AND
    - (difference between average index score for students with an IEP in math and average index score for students without an IEP in Math)
- Sort data by Cohort name then ranking

The Six School Districts Selected as Focused Monitoring Sites for 2010-2011 Were:

- Nashua School District
- Salem School District
- Portsmouth School District
- Gorham Cooperative School District
- Newfound Regional School District
- Fremont School District

## **NHDOE Focused Monitoring IEP Compliance Review:**

In the Focused Monitoring Process, one of the required data collection activities is a structured compliance review which includes a comprehensive review of all aspects of special education programming (Pre-K-12), including policy and procedures, program descriptions, review of student records for children placed out of district, staff credentials, a review of randomly selected IEPs in order to determine the district's level of compliance with the special education process. The process used for the selection of IEP's is summarized as follows:

### **Guidelines for Random Selection of IEPs:**

The New Hampshire Department of Education (NHDOE) is responsible for assessing the impact and effectiveness of state and local efforts to provide a "Free Appropriate Public Education" (FAPE) to children and youth with disabilities, ages 3-21. IDEA requires each State Department of Education to establish a system for approving and monitoring both public school and private special education school programs and services.

Each school district selected to participate in Focused Monitoring receives ongoing technical assistance to help it narrow its achievement gap. Each district is asked to form an achievement team representative of its total educational community: parents, special educators, general educators and administrators. Throughout the year, this team collects and analyzes student achievement data gathered from state and district assessments, classroom assessments and teacher observations of student work. One of the required data collection activities is the review of IEPs for the purpose of monitoring compliance as well as assessing the impact that special education is having upon improved student learning. The in-depth analyses of the multiple data sources enable the team to arrive at a set of achievement gap findings and to develop an action plan to address the findings.

The following guidelines have been set for the selection of IEPs that are reviewed through Focused Monitoring:

### **Selection of IEPs, Preschool – Grade 12:**

- IEPs will be randomly selected by the technical assistant(s) assigned to work with the district.
- Criteria used:
  - Number of schools in the district
  - Enrollment numbers in each school
  - Number of programs in each school
  - Number of special education staff
  - Students who have been in the district for at least two years
- A minimum of two IEPs per school will be reviewed. The number of additional IEPs selected for review varies depending upon the size of the school and the number of special education programs in each building; this will be determined by the technical assistant working with the district.
- At the high school level, an additional 6 IEPs for students aged 16+ will be randomly selected for the purpose of gathering data for Indicator 13. These reviews will only focus on transition planning. Pages 4 and 5 of IEP Review Data Collection Form will be used to record data.
- If the district is in process of being monitored directly by the NHDOE for Indicator 13, the 6 additional IEPs for Indicator 13 are not necessary.

Included in the IEP review process is preschool programming for students with disabilities, as well as students placed out of district, or students with IEPs who may be attending a charter school. The number of IEPs

reviewed in each of these categories is dependent upon enrollment, and the monitoring tools for each of these categories differ to ensure appropriate monitoring.

The NHDOE in collaboration with SERESC has designed the IEP review template in order to assist the district in examining the IEPs for measures of educational benefit and compliance as the IEP is the core of the special educational process. A well-crafted, collaborative IEP helps to ensure educational benefit for students with disabilities. (See IEP Review Data Collection Form in Appendix)

To ensure that an IEP is reasonably calculated to provide educational benefit, it must support a student's access to the general education curriculum. The identified needs must be detailed and the impact of the disability on the student's academic achievement and functional performance, including in the general education classroom and in extracurricular and other non-academic activities, must be clearly defined. Goals/objectives/benchmarks, accommodations/modifications and the type and amount of services must align with the student's needs in order for him/her to learn and validly demonstrate this knowledge. Ongoing, purposeful measurement of progress must be conducted and reported to track progress in the plan/program.

Review teams conclude whether the IEP contains the required elements; if it is reasonably calculated to provide educational benefit; and whether the IEP is useful, understandable to a broad audience, and a helpful tool in understanding the child's disability, its impact, and how the school will address this impact.

Data gathered in the IEP process is combined with the data collected through the review of policy and procedures, personnel credentials, and program descriptions and provides the Achievement Team with valuable information that increases awareness about the district's special education process and programming, about the progress of students with disabilities and about the alignment of special education programming with the district's general curriculum, instruction and assessment systems. Findings and corrective actions that result from the IEP Review are included in the action plan developed by the Achievement Team and included in the final summary report.

**Findings of Non-Compliance for Focused Monitoring Districts ~ IEP Compliance Review Results 2010-2011**

The table below provides an overview of the Focused Monitoring sites and Systemic Findings of Non-Compliance. Details of the findings are included in the IEP Review section of each site’s Final Report. Electronic copies of the reports are available at the NHDOE and on the Program Approval Web Site.

2010-2011 Focused Monitoring Sites including Findings of Non-Compliance							
SAU	DISTRICT	DATE OF COMPLIANCE VISIT	DATE OF IEP REVIEW SUMMARY REPORT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDING	SUMMARY OF NON-COMPLIANCE	TOTAL # OF FINDINGS OF NON-COMPLIANCE IN DISTRICT
SAU42	Gorham	September 28, November 30, 2010	June 1, 2011	Measurable Goals	Ed 1109.01/34CFR 300.320	Of the 9 IEPs reviewed, preschool through secondary, 6 did not contain measurable goals.	2
				Transition	ED 1109.01 (a) (1) CFR 300.320	For students 16 years and older, transition plans must include all required components. The one IEP reviewed for a student 16 and older did not include all IEP required components.	
SAU52	Salem	February 1, 3, 28 and March 3, 2011	May 31, 2011	Evaluation Summaries	Ed. 1107.05 CFR 300.303	Evaluation Summaries were not present in files.	7
				IEP Team composition	Ed. 1108.(b) CFR 300.306	The IEP Team composition did not have the appropriate representation in one of the out of district files.	
				Elements of an Individualized Education Program Measurable Goals	Ed 1109.01, §300.320 (2)(i)	There is a lack of consistently written measurable IEP goals district-wide.	
				Participation in extracurricular activities	Ed. 1109.01 CFR 300.320	There was no statement about how the student will participate with other disabled and non-disabled students in extracurricular and other nonacademic activities in one of the out of district files.	
				Elements of an IEP Access to Curriculum	Ed 1109.01, §300.320 a)(1)(i), (a)(4)(ii); Ed. 1113.08(b)	Elements of an Individualized Education Program, Not all IEP students are provided with Access to General Education Curriculum.	

SAU	DISTRICT	DATE OF COMPLIANCE VISIT	DATE OF IEP REVIEW SUMMARY REPORT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDING	SUMMARY OF NON-COMPLIANCE	TOTAL # OF FINDINGS OF NON-COMPLIANCE IN DISTRICT
SAU52	Salem	February 1, 3, 28 and March 3, 2011	May 31, 2011	Placement in the Least Restrictive Environment, LRE Requirements	Ed 1111.01(a) 34 CFR 300.114	Not all IEP students are afforded Least Restrictive Environment in Preschool through grade 12. Preschool program lacks adequate integration of typically developing peers.	
				Graduation Credits	Ed. 1113.13	There was no clear statement of how the student will earn a graduation credits toward a regular diploma in one of the out of district files.	
SAU54	Portsmouth	November 5, 2010, November 10, 2010, November 15, 2010, December 1, 2010, and January 5, 2011	May 31, 2011	IEP Development	ED1109 CRF 300.320	Based on visits to each of these programs it was determined that: Four of the fifteen IEPs reviewed did not include functional goals. Two of the fifteen IEPs reviewed did not include measureable goals. One of the fifteen IEPs reviewed did not include accommodations. One of the fifteen IEPs reviewed did not include academic goals. One of the fifteen IEPs reviewed did not include a required behavior plan.	2
				Secondary Transition Planning	ED1109.01 CRF 300.320	Based on visits to each of these programs it was determined that three of the three IEPs of high school students reviewed did not meet all the requirements of Indicator 13, Secondary Transition.	
SAU38	Newfound	November 15, 17-19 & 30, 2010	May 31, 2011	Measurable Goals	Ed 1109.01 (a) (1); CFR 300.320 (a) (2) (i)	Not all annual goals were written in measurable terms; baselines from which goals were to be measured were frequently omitted from the goals or the present levels of performance.	7
				Transition services	Ed 1109.01 (a) (1); CFR 300.320 (b) (1) (2)	IEPs written for students turning 16 must include-- (1) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills. The post-secondary IEP goals were not written in measurable terms, but were expressed as the student's interests.	

SAU	DISTRICT	DATE OF COMPLIANCE VISIT	DATE OF IEP REVIEW SUMMARY REPORT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDING	SUMMARY OF NON-COMPLIANCE	TOTAL # OF FINDINGS OF NON-COMPLIANCE IN DISTRICT
SAU38	Newfound	November 15, 17-19 & 30, 2010	May 31, 2011	IEP Team; Transition services participants.	Ed 1103.01 (a); CFR 300.321 (b) (1) (3)	(1)The public agency must invite a child with a disability to attend the child's IEP Team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals under §300.320(b). The meeting invitation did not include the student's name. However, the IEP indicated that the student had attended the meeting.	
				Determination of Eligibility	Ed 1108.01; CFR 300.306	At least one certified educator of suspected disability must be present when making a decision about evaluations. (1 record)	
				Individual Education Plan	Ed 1109.01 (a) (1); CFR # 300.320 (a) (2) (i)	IEPs must have annual goals written in measurable terms, including baselines (in the goal or present level of performance) and targets. (3 records)	
				IEP Team	Ed 1103.01 (a)	The IEP Team must be composed of the required team members. (1 record)	
				Transition Services	Ed 1109.03 (j); CFR 300.324	Transition services shall be monitored by LEA personnel, on no less than a weekly basis.	
SAU42	Nashua (High School)	January 11 & February 3, 2011	June 3, 2011	IEP Goals, Objectives/Bench marks	ED 1109. CRF 300.320	Finding: 5 IEPs lacked annual measurable goals.	2
				Transition Planning	ED 1109.01 (a) (1), CRF 300.320	Finding: 3 IEPs reviewed lacked measurable post secondary goals.	
	Nashua (Preschool)			No Findings of Non-Compliance			0
SAU 35	Fremont	February 17, 2011	June 1, 2011	Measurable Goals	Ed 1109.01 34CFR 300.320	Of the 7 IEPs reviewed, preschool through secondary, 2 did not contain measurable goals. Of the 7 IEPs reviewed, 2 did not contain baseline data in either the goal or the present level of performance Of the 7 IEPs reviewed, 2 did not contain the student's expected proficiency levels/targets Of the 7 IEPs reviewed, 1 did not include an academic goal Of the 7 IEPs reviewed, 1 did not contain benchmarks that connected to the annual goal Of the 7 IEPs reviewed, 2 did not identify that behavior	3

SAU	DISTRICT	DATE OF COMPLIANCE VISIT	DATE OF IEP REVIEW SUMMARY REPORT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDING	SUMMARY OF NON-COMPLIANCE	TOTAL # OF FINDINGS OF NON-COMPLIANCE IN DISTRICT
SAU 35	Fremont	February 17, 2011	June 1, 2011			Impeded the learning of the student or others. Of the 7 IEPs reviewed, 1 did not indicate when the progress measurement would occur. Of the 7 IEPs reviewed, 1 did not include evidence that the student is making progress sufficient to achieve the annual goal.	
				<b>Related Services and Curriculum</b>	<b>Ed 1113.08 34 CFR 300.04</b>	Two of the IEPs reviewed did not include services that address all the identified academic, developmental and functional needs of the student	
				<b>Transition</b>	<b>Ed 1109.01(a) (1)</b>	One student's IEP age 16 years or older did not include all required components, including projected dates and duration of services as part of the Transition Plan	

### **Additional Data Sources Collected and Reviewed By the Focused Monitoring Achievement Teams:**

Although each Focused Monitoring District was unique in character and definition of trends in data that determined specific plans of action, there were several common data sources that were reviewed by Achievement Teams. Examples of other data that was collected, reviewed and analyzed within the selected sites are listed as follows:

- Systems readiness for change assessment
- Leadership capacity
- The curriculum and instructional strategies and support mechanisms appropriate to ensure universal access to the general curriculum and related interventions
- District data (e.g., demographics, special education identification rate, number/types of school personnel, service delivery models, professional development, attendance, drop out rates, discipline data, etc.)
- Climate and culture within the schools
- Effectiveness of parent/family engagement
- Student/staff perceptions
- Standardized assessment scores (Achievement and Aptitude)
- School In Need of Improvement Plans, District in Need of Improvement Plans, Restructuring Plans
- Individual student assessments
- Assessment of attitudes and perceptions (staff, student, parent, administration, community)
- Special education compliance (policy and procedures, review of IEPs, qualifications of staff, review of programming and documentation of student progress)
- Indicator 13 data for students aged 16 years and older

All of the data collection activities for each Focused Monitoring site were customized and guided by the Key Performance Indicator and the Essential Question that each Achievement Team developed to study during the 2010-2011 school year. For each school district, a summary of the data, along with the improvement plan developed to address the achievement gap, has been provided to the NHDOE, Bureau of Special Education. As in the past, when appropriate, Focused Monitoring was combined with the SINI/ DINI/Restructuring Process. Aligning Focused Monitoring with current DOE priorities helped to ensure that resources, technical assistance and support were all directed toward improving results for children; the outcome in most districts was one improvement plan that included both Focused Monitoring and SINI/DINI/Restructuring goals.

**Trends:**

As a result of working with the six Focused Monitoring districts, the following trends were identified through the data collection activities:

1. Simplicity, clarity and priority are needed where there is a focus on effective instruction for all students which includes full access to the core curriculum, aligned instructional priorities, consistent data collection/progress monitoring of all learners.
2. The concept of data teams, or teams of teachers using data diagnostically at frequent intervals to assess student learning are essential in addressing the achievement gap.
3. What is taught to all students, a guaranteed and viable core curriculum, matters immensely in addressing the achievement gap.
4. Consolidation of multiple improvement plans is essential in addressing the achievement gap.
5. The influence of the leaders in the district strongly impacts the student learning of all students.
6. There is no silver bullet that will close or narrow the achievement gap; a combination of strategies must be included in improvement plans to gain traction on the issue.
7. There are no short term solutions in narrowing the achievement gap, systemic improvements will take time.

## YEAR II, FOCUSED MONITORING: IMPLEMENT, MONITOR AND EVALUATE

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During the 2010-2011 school year, the NHDOE Program Approval Management Team was responsible for continued technical assistance to the FM districts that entered Year II of Focused Monitoring. The follow up technical assistance provided to districts consisted of regular communication via e-mail and phone, attendance at Achievement Team meetings, and consultation in gathering of data to document progress made in meeting goals outlined in FM Plans. Continuous improvement and narrowing of the achievement gap depends upon not just the creation of a plan, but on thoughtful implementation with ongoing monitoring, review and, as needed, revision and guidance.

Through follow up monitoring with FM districts, Achievement Teams were asked three questions: Are you doing what you said you would do in the plan? Are you doing it well? Is it making a difference in student achievement and narrowing the achievement gap? The role of the technical assistants was to assist Achievement Teams to ensure that improvement plans were implemented with fidelity, integrity and consistency, and that there was ongoing data collection to demonstrate progress and impact upon student achievement. When appropriate, the technical assistants also monitored the status of any corrective action plans that were identified through IEP Reviews.

As a result of working with the 2010-2011 Focused Monitoring School Districts it continues to be clear that the reality of resources, including time, energy and human resources are a challenge in carrying out the FM Improvement Plan. The question of “affording” is not just a budget question; it is also an issue of commitment, credibility and alignment of the plan to existing initiatives in the district. The key question in year II of the FM Process is “What evidence is there that the plan is positively impacting student learning and that the plan is narrowing the achievement gap?” Trying to produce this evidence in Year II of the FM Process has been approached cautiously, as systemic change and improved learning results are not typically demonstrated in the first year of implementation in improvement plans. In attached addendum are the suggested documents that are utilized in order to collect the necessary data to demonstrate the impact that FM Improvement Planning is having upon student achievement and narrowing the achievement gap.

## SECTION 4: CASE STUDY COMPLIANCE REVIEW DATA COLLECTION SUMMARY

### THE NHDOE CASE STUDY COMPLIANCE REVIEW PROCESS

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During the 2010-2011 School Year, the NHDOE conducted Case Study Reviews on a total of 36 students at 5 private schools. The 5 case study review visits were conducted at the preschool, elementary, middle and high school levels.

#### **The Case Study Compliance Review Visits conducted in 2010-2011:**

Learning Skills Academy  
Wolfeboro Area Children's Center  
Granite State High School (for males)  
Enriched Learning Center  
Monarch School of New England

NHDOE Special Education Case Study Compliance Reviews are conducted to ensure that private special education schools compliance with state and federal special education rules and regulations. While compliance is a focus, the reviews have evolved to emphasize partnerships with the NHDOE, in conducting monitoring activities that ensure job embedded professional development for the staff involved. The Case Study Compliance review process permits the Department of Education to leverage its impact for change and improvement within schools statewide by focusing the attention of all educators on three key areas of critical importance in the education of students with disabilities. The three areas that the Department of Education has determined to be in need of improvement are:

*Access to the General Curriculum*

*Transition*

*Behavior Strategies and Discipline*

In their case study presentations, teams from private special education schools are required to demonstrate evidence of their practice and compliance with state and federal special education rules and regulations in these key areas. Based on the Case Study Presentations, along with an extensive review of policy, procedures and all application materials, the NHDOE, Bureau of Special Education identifies both the strengths of the school, as well as any Findings of Non-Compliance. The evolution of the Case Study Compliance Review Process also provides further emphasis on the development of strong accountability systems and the utilization of data to demonstrate improved learning results for students with disabilities.

As part of the Case Study Compliance Review Process, the private school must provide documented special education policy and procedures and complete an application, which includes qualifications of staff, program descriptions and other information. An additional requirement is to survey both their students' parents and their LEAs regarding communication, expectations and monitoring of student progress. Parent survey data is

included in this section of the report. The LEA and Parent survey results are located within each school's final report, on file at NHDOE and on the Special Education Program Approval Web Site. Sample LEA and Parent surveys are located in the appendix.

### PRIVATE SCHOOL CASE STUDY REVIEW DATA - K - 12

**The Following Responses Were Collected on the Case Study Data Collection Forms During the 2010-2011 Case Study Compliance Reviews**

QUESTIONS	# of Answers	# YES	% Yes	# NO	% No	# NA	% NA
<b>Access to the General Curriculum</b>							
A1.) Team uses multiple measures to design, implement and monitor the student's program.	12	10	83%	2	17%	0	0%
A2.) All IEP goals are written in measurable terms.	12	4	33%	8	67%		0%
A3.) Student's IEP has at least one functional goal.	12	10	83%	0	0%	2	17%
A4.) Student has made progress over the past three years in IEP goals. Goal 1	12	6	50%	1	8%	5	42%
A5.) Student has made progress over the past three years in IEP goals. Goal 2	12	5	42%	1	8%	6	50%
A6.) Student <u>has access to</u> the general curriculum (as outlined by the district, sending district or NH frameworks.)	12	10	83%	0	0%	2	17%
A7.) Student <u>participates in</u> the general curriculum in a regular education setting with non-disabled peers, as appropriate, with necessary supports.	12	4	33%	1	8%	7	58%
A8.) When <u>participating in a regular education setting with non-disabled peers</u> with necessary supports, student <u>has made progress in</u> the general curriculum.	12	5	42%	0	0%	7	58%
A9.) Student <u>participates</u> appropriately in state, district and school-wide assessments.	12	12	100%	0	0%	0	0%
A10.) Student <u>shows progress</u> in state, district and school-wide assessments.	11	9	82%	2	18%	0	0%
A11.) Student <u>has opportunities</u> to participate in general extracurricular and other non-academic activities with necessary supports.	12	10	83%	0	0%	2	17%
A12.) Student <u>does participate</u> in general extracurricular and other non-academic activities with necessary supports.	12	10	83%	0	0%	2	17%
A13.) Was the student's most recent individual evaluation (initial or reevaluation), including a written summary report and meeting, held within 45 days of parental permission to test?	10	10	100%	0	0%	0	0%
A14.) Student is earning credits toward a regular high school diploma.	8	6	75%	2	25%	0	0%
A16.) Student will earn an IEP diploma or a certificate of competency.	5	2	40%	2	40%	1	20%
A18.) Does this school or district have a clear policy for earning a high school diploma?	4	4	100%	0	0%	0	0%
<b>Transition</b>							
T1.) Transition planning from grade to grade takes place.	11	11	100%		0%	0	0%

T2.) Transition planning from school to school takes place.	11	10	91%	1	9%	0	0%
T3.) Collaboration has occurred between general and special education staff in IEP development and in transition planning.	11	10	91%	1	9%	0	0%
T4.) For a student who will turn 14 during the IEP service period (or younger if determined appropriate by the IEP team,) does the IEP include a statement of the transition service needs that focuses on the student's course of study, such as participation in advanced-placement courses or a vocational education program?	7	4	57%	1	14%	2	29%
T5.) Transition planning is designed as a results oriented process that promotes movement from school to the student's desired post-school goals.	6	6	100%	0	0%	0	0%
T6.) IEP team includes parent as part of transition planning.	7	6	86%	1	14%	0	0%
T7.) IEP team and process includes student as part of transition planning.	7	7	100%	0	0%	0	0%
T8.) IEP includes current level of performance related to transition services.	6	6	100%	0	0%	0	0%
T9.) There is documentation that the student has been invited to attend IEP meetings.	6	6	100%	0	0%	0	0%
T10.) A statement of the transition service needs is included in the IEP.	6	6	100%	0	0%	0	0%
T11.) The statement of transition focuses on the student's course of study (e.g. vocational programming, advanced placement).	7	6	86%	1	14%	0	0%
T12.) Transition plan includes coordinated, <u>measurable</u> , annual IEP goals and includes transition services that will reasonably enable the student to meet the <u>post-secondary</u> goals.	7	4	57%	0	0%	3	43%
T13.) Statement of needed transition services is presented as a coordinated set of activities.	7	6	86%	1	14%	0	0%
T14.) The IEP includes a statement of needed transition services and considers instruction.	7	7	100%	0	0%	0	0%
T15.) The IEP includes a statement of needed transition services and considers community experiences.	7	6	86%	1	14%		0%
T16.) The IEP includes a statement of needed transition services and considers development of employment skills.	7	6	86%	1	14%		0%
T17.) Student is informed prior to age 17 of his/her rights under IDEA.	7	6	86%	0	0%	1	14%
T18.) There is documentation that representatives of other agencies have been invited to IEP meetings.	7	5	71%	0	0%	2	29%
T19.) The IEP includes a statement of needed transition services and considers related services.	7	5	71%	1	14%	1	14%
T20.) The IEP includes a statement of needed transition services and considers development of daily living skills.	7	5	71%	0	0%	2	29%
T21.) If the student is preparing to graduate this year, there is a summary of the student's <b>academic achievement and functional performance</b> , which includes recommendations on how to assist the student in meeting his or her post-secondary goals.	8	0	0%	1	13%	7	88%
<b>Behavior Strategies and Discipline</b>							
B1.) Data are used to determine impact of student behavior on his/her learning.	10	7	70%		0%	3	30%
B2.) Has this student ever been suspended from school?	10	1	10%	9	90%		0%
B4.) If appropriate, a functional behavior assessment has been conducted.	10	3	30%	3	30%	4	40%
B5.) IEP team has addressed behaviors that are impacting student learning.	10	7	70%	2	20%	1	10%

B6.) A behavior intervention plan has been written to address behaviors.	10	6	60%	2	20%	2	20%
B7.) All individuals working with the student have been involved in developing behavior intervention strategies.	10	7	70%	2	20%	1	10%
B8.) Specialized training for implementing interventions, strategies and supports has been provided to parents, providers and others as appropriate.	10	7	70%	2	20%	1	10%
B9.) Results of behavior intervention strategies are evaluated and monitored.	10	7	70%	2	20%	1	10%
B10.) A school-wide behavior intervention model exists.	10	10	100%	0	0%	0	0%

The data on the following pages was collected during the 2010-2011 Case Study Compliance Reviews from: the data collection forms used for the case studies, parent surveys, follow up corrective action visits, professional development offerings and new program applications. The first set of tables below summarizes the data collected during the Case Study Visits.

#### INTERPRETATION/ANALYSIS OF PRIVATE SPECIAL EDUCATION SCHOOL DATA:

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Upon review of the data collected through the NHDOE Special Education Case Study Presentations, the following two areas are in need of improvement:

- **IEP Goals Written in Measurable Terms**

44% of the IEP's that were reviewed in the private school setting through the Case Study Compliance Review lacked IEP goals that were measurable.

- **Transition Planning**

47% of the transition plans for students aged 16 and over did not meet compliance.

**Fifteen statements rated responses of 90-100%:**

- Team uses multiple measures to design, implement and monitor the student's program
- Student participates appropriately in state, district and school wide assessments
- Student has opportunities to participate in general extracurricular and other non academic activities with necessary supports
- Student does participate in general extracurricular and other non academic activities with necessary supports
- Student is earning credits toward a regular high school diploma
- Transition planning from grade to grade takes place
- Collaboration has occurred between general and special education staff in IEP development and in transition planning
- Transition planning is designed as a results oriented process that promotes movement from school to the student's desired post-school goals
- IEP team includes parent as part of transition planning

- IEP team and process includes student as part of transition planning
- IEP includes current level of performance related to transition services
- A statement of the transition service needs is included in the IEP
- The statement of transition focuses on the student's course of study (e.g. vocational programming, advanced placement)
- The IEP includes a statement of needed transition services and considers instruction
- Student is informed prior to age 17 of his/her rights under IDEA

**DATA COLLECTION FOR FINDINGS OF NON-COMPLIANCE 2010-2011 CASE STUDY COMPLIANCE REVIEWS**

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The following is a table of the **2010-2011 Case Study sites and their Findings of Non-Compliance**. Details of the findings are included in each site’s Case Study Compliance Review Report. Electronic copies of the reports are available at the NHDOE and on the Special Education Program Approval Web Site.

<b>2010-2011 CORRECTIVE ACTION FINDINGS OF NON-COMPLIANCE</b>				
<b>PRIVATE PROGRAM</b>	<b>DATE OF CASE STUDY COMPLIANCE REVIEW VISIT</b>	<b>DATE OF CASE STUDY COMPLIANCE REVIEW SUMMARY REPORT</b>	<b>FINDINGS OF NON-COMPLIANCE</b>	<b>ED # OF FINDING</b>
<b>Easter Seals Jolicoeur School</b>	November 23- ,2010	January 31, 2011	Prior to enrollment, the sending LEA shall send a copy of the child’s IEP that meets all the requirements of ED 1109 to each private provider of special education or other non- LEA program. Easter Seals NH must work in collaboration with all LEAs to ensure that all IEPs meet compliance requirements. Although some goals were found to be measurable at the November 2 & 3, 2010 NHDOE case study visit, the 4 IEPs reviewed at the Robert B. Jolicoeur Mammoth Rd. and Zachary Rd. schools did not meet all the requirements for measurable annual goals	<b>ED 1114.05 (c ) Program Requirements</b>
			Easter Seals Jolicoeur School must expand its middle and high school curriculum offerings to include the following: Art, Music, Health, Business, Information and Communication Technologies, Family and Consumer Science, World Languages, and Technology Education.	<b>ED 1113.08, CRF 300.320/300.34: Access to the General Curriculum</b>
			Not all personnel hold appropriate certification for the position in which they function.	<b>Ed 1114.10 Qualifications and Requirements for Instructional, Administrative, and Support Personnel.</b>

PRIVATE PROGRAM	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	DATE OF CASE STUDY COMPLIANCE REVIEW SUMMARY REPORT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDING
			At the time of the November 2 and 3, 2010 visit the policies regarding behavior were in revision and not yet fully developed. Therefore, it could not be determined that they were in full compliance.	<b>ED 1114 Standards for Approval of Private Providers of Special Education and Non-LEA programs</b>
			Easter Seals administration must assure that classroom teachers attend IEP meetings as required by the regulations above.	<b>ED 1103.01/34 CFR 300.321IEP Team Composition</b>
<b>Enriched Learning Center</b>	April 27, 2011	August 1, 2011	As a result of the April 27, 2011 Case Study Compliance Review conducted at The Enriched Learning Center, there were no Findings of Noncompliance identified.	
<b>Monarch School</b>	February 16-17, 2011	April 14, 2011	As neither of the two IEPs reviewed contained measurable goals, the visiting team extrapolated that it is likely that other IEPs are also lacking measurable goals. All IEPs must be in full compliance with ED 1109.01 and CFR 300.320.	<b>Ed 1109.01 Elements of an IEP</b> <b>CRF 300.320 Contents of an IEP</b>
			In accordance with Ed 500, The Monarch School staff must submit to the NHDOE, Bureau of Credentialing a Professional Development Master Plan. Upon approval of the plan from the NHDOE, this document will guide the professional development of all staff and administration to assure improved learning results for students, and provide the opportunity for all staff and administration to maintain required certifications.	<b>Ed 1114.04 Administration/ Chapter Ed 500 Professional Development for All Staff</b>
<b>Granite State High School</b>	March 22, 2011	May 4, 2011	Inmates at the New Hampshire State Prison for Women do not have full access to the general curriculum, thus they are not provided with equal educational opportunities as the inmates incarcerated at the NH State Prison for Men.	<b>Ed 1113.08 Curricula Full Access to the General Curriculum Equal Education</b> <b>CFR 300.320</b>

PRIVATE PROGRAM	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	DATE OF CASE STUDY COMPLIANCE REVIEW SUMMARY REPORT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDING
			<p>GSHS conducted a technology inventory and identified what is needed to move forward to enable the prison system to provide delivery of required course content at both the Concord and Goffstown facilities. As previously noted, Granite State High School will benefit from the exploration and implementation of options for distance learning to include: available software for delivery of course offerings and sharing of curriculum, instruction and assessment strategies and materials between the three educational programs within the correctional facilities. As of March 2011, there continues to be a lack of full access to the general curriculum, specifically for the women inmates at the State Prison in Goffstown.</p>	<p><b>Ed 1113.09 Equipment, Materials and Assistive Technology</b></p>
			<p>Granite State High School continues to fall short at the State Prison for Women. While a process for awarding of diplomas has been created and continues to be evident, woman inmates in Goffstown are not able to earn high school credits at the same rate as the inmates at the State Prison for Men.</p>	<p><b>Ed 1113.13 Diplomas</b></p>
<p><b>Learning Skills Academy</b></p>	<p>March 30-31, 2011</p>	<p>May 4, 2011</p>	<p>Consultants must be available to the school if certified teachers in the required content areas are not on staff. Neither consultants nor certified teachers are available in Information and Communication Technology, Family and Consumer Science, Business or World Languages.</p>	<p><b>ED 1114.05 (g) Program Requirements, Equal Educational Opportunities/Full Access to the General Curriculum; Ed 1114.05 (j) Program Requirements, CFR §300.320, Ed 306.15 Provision of Staff and Staff Qualifications</b></p>

PRIVATE PROGRAM	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	DATE OF CASE STUDY COMPLIANCE REVIEW SUMMARY REPORT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDING
Wolfeboro Area CC	April 20-21, 2011	May 17, 2011	<p>The governing board for the Wolfeboro Area Children's Center must ensure that the program is in compliance with all state and federal special education rules and regulations including IDEA and RSA 186-C. At the time of the April 20-21, 2011 Case Study Compliance Review for the Wolfeboro Area Children's Center it was determined that special education policy and procedures did not meet compliance. Revisions and updates are needed in the following areas:</p> <p>1114.05 Program Requirements (f) (g) (i)</p> <p>1114.06 Implementation of IEPs (b)</p> <p>1114.12 Change in Placement (a) (b)</p> <p>1114.16 Physical Facilities (a)(d)(f)(g)(h)(i)</p>	<b>Ed 1114.03 Governance</b>
			<p>The Wolfeboro Area Children's Center does not have a New Hampshire Department of Education certified administrator who has responsibility for the oversight and supervision of the special education programming and the staff working within the Wolfeboro Area Children's Center program.</p>	<b>Ed 1114.10 Qualifications and Requirements for Instructional, Administrative and Support Personnel</b>

## PARENT INPUT GATHERED FROM THE 2010-2011 CASE STUDY COMPLIANCE REVIEWS

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As part of the NHDOE Special Education Case Study Compliance Review, feedback from parents is gathered in several ways. The parent of the case study being presented is encouraged to take part in the Case Study Presentation and that parent is also interviewed by the visiting team. In addition, all LEAs and/or private special education schools being visited are required to survey parents. This survey has been designed by the Program Approval Management Team and must be sent by the schools to all parents who have a child with a disability.

Survey results for 2010-2011 have been summarized and analyzed and the results are included below for the State Performance Plan (SPP). Copies of complete results for each site visited are included in the individual site final reports.

Questions	Total Numbers and Percentages of Parent Answers							
	3	%	2	%	1	%	NA	%
<b>Key: 3 = Completely, 2 = Partially, 1 = Not At All</b>								
I am adequately informed about my child's progress.	40	71%	15	27%	1	2%	0	0%
A variety of information (observations, test scores, school work, parent input) was used in developing my child's IEP.	53	95%	3	5%	0	0%	0	0%
All of the people who are important to my child's transition were part of the planning.	27	48%	7	13%	0	0%	22	39%
I have been involved in the development of behavior interventions, strategies and supports for my child.	36	64%	3	5%	1	2%	16	29%
I fully participate in special education decisions regarding my child.	51	91%	4	7%	0	0%	1	2%
I have been provided with a copy of the procedural safeguards (parental rights) at least once a year.	53	95%	0	0%	2	4%	1	2%
	<b>Total number of parents surveyed</b>							128
	<b>Total number of responses</b>							56
	<b>Percent of responses</b>							44%

### INTERPRETATION/ANALYSIS OF PARENT SURVEY DATA:

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Private schools need to keep parents better informed about transition planning and behavior interventions.

### PRESCHOOL TECHNICAL ASSISTANCE IN THE NHDOE SPECIAL EDUCATION PROGRAM APPROVAL PROCESS

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As part of the NHDOE special education program approval process, technical assistance is offered to preschool special needs programs that are participating in Case Study compliance reviews. While there were no private special education preschool programs/schools up for review, each of the Focused Monitoring districts included preschool programming in the IEP review process. Additionally, preschool data was integrated into the

Focused Monitoring process and the work of the Achievement Teams in the review of data. Each Focused Monitoring report includes information regarding the review of preschool special needs programming.

### FOLLOW UP CORRECTIVE ACTION VISITS TO ALL 2009-2010 CASE STUDY SITES

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During the 2010-2011 school year, the NHDOE Program Approval Management Team was responsible for conducting corrective action follow-up visits to all private schools that participated in Case Study Compliance Reviews in 2009-2010. The purpose of these visits was to determine the status of Systemic Findings of Non-Compliance that were outlined in their final reports and corrective action plans. At these follow up visits, the Program Approval Management Team was responsible for meeting with key leadership to review: the findings, the goals set forth to address the findings and the evidence that addressed the findings, as well as determining the status of the findings as met or not met. These visits to each site were due to be conducted within 1 year from the date on the site report. Copies of the letters summarizing the individual visits were sent to the NHDOE, Bureau of Special Education.

### INTERPRETATION/ANALYSIS OF DATA COLLECTED FROM FOLLOW UP CORRECTIVE ACTION VISITS:

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From the follow up corrective action visits conducted, it is clear that the majority of private special education schools have worked hard to meet most or all of their Findings of Non-Compliance. The findings that were not met tended to be systemic issues that are not easily resolved within one year.

In the sites where several Findings of Non-Compliance were not met, the NHDOE, Bureau of Special Education has worked with the Program Approval team to provide continued follow up technical assistance and monitoring of corrective actions

**2009-2010 Case Study Sites – Follow-up Visit Findings of Non-Compliance Status as of June 30, 2011**

PRIVATE SPECIAL EDUCATION SCHOOL NAME	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDINGS	SUMMARY OF NON-COMPLIANCE	FOLLOW UP VISIT DATE(S)	VERIFIED DATE OF CORRECTION OF NON-COMPLIANCE	WAS THE AREA OF NON-COMPLIANCE CORRECTED WITHIN ONE YEAR	TOTAL # OF FINDINGS OF NON-COMPLIANCE	TOTAL # of FINDINGS CORRECTED	TOTAL # of FINDINGS NOT CORRECTED
<b>Granite Hill School</b>	11/17-18, 2009	Transition Services	Ed 1102 (m)/CFR 300.43 Ed 1109.01 (a) (1), CFR 300.32 (b)	Post-secondary goals were not written in measurable terms.	4-7-10	4-7-10	YES	1	1	0
<b>Crotched Mt. School</b>	2/1-2/2, 2010	Required content areas/certified staff (or consultants) for required areas;	ED 1114.05(j); ED 306.15 Certified Staff or Consultants	For those students at Crotched Mountain School who are earning a high school diploma, consultants must be available to the school if certified teachers in the required content areas are not on staff. Neither consultants nor certified teachers are available in Business or World Languages. Additionally, Crotched Mountain School must develop curricula in the following content areas: Information/Communication Technology (all grade levels), Technology Education (high school), Business (high school), and World Languages (high school).	6-15-11	6-15-11	YES	4	4	0
		Re-evaluation Requirements	ED 1107.01(a)/3 4CFR 300.305(a-d)	Although IEP teams had agreed, upon review of existing information, that additional evaluation was not required to confirm that these students continued to be children with disabilities, no documentation of that process was available. (1 out of 3 IEPs)	6-15-11	6-15-11	YES			
		Contents of an IEP	ED 1109.01; CFR 300.320	IEP goals are not written in measurable terms. (1 out of 3 IEPs)	6-15-11	6-15-11	YES			

PRIVATE SPECIAL EDUCATION SCHOOL NAME	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDINGS	SUMMARY OF NON-COMPLIANCE	FOLLOW UP VISIT DATE(S)	VERIFIED DATE OF CORRECTION OF NON-COMPLIANCE	WAS THE AREA OF NON-COMPLIANCE CORRECTED WITHIN ONE YEAR	TOTAL # OF FINDINGS OF NON-COMPLIANCE	TOTAL # of FINDINGS CORRECTED	TOTAL # of FINDINGS NOT CORRECTED
		Transition Services	ED 1102; CFR 300.43: Transition Services; ED 1106 Provision of FAPE; CFR 300.124 Part C Transition; ED 1109.01 Elements of an IEP (Transition Services)	Plans need: measurable goals, documentation of the student being invited, a statement of transition service needs, a focus on vocational programming, a coordinated set of activities, consideration of community experiences, consideration of the development of employment skills, current levels of performance related to transition.	6-15-11	6-15-11	YES			
Hunter School	12-8-09	Responsibilities of Private Providers of Special Education or Other Non-LEA Programs in the Implementation of IEPs	ED 1114.06	IEPs at Hunter School must consistently be written with measurable goals.	1-14-11	1-14-11	YES	14	13	1
		IEPs for Children Placed in Private Provides of Special Education or other non-LEA Programs by Public Agencies; Content of IEP	ED 1109.05; CFR 300.320	Hunter School must ensure that prior to enrollment the sending LEA provide an IEP that meets all requirements as outlined in ED 1109.	1-14-11	1-14-11	YES			

PRIVATE SPECIAL EDUCATION SCHOOL NAME	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDINGS	SUMMARY OF NON-COMPLIANCE	FOLLOW UP VISIT DATE(S)	VERIFIED DATE OF CORRECTION OF NON-COMPLIANCE	WAS THE AREA OF NON-COMPLIANCE CORRECTED WITHIN ONE YEAR	TOTAL # OF FINDINGS OF NON-COMPLIANCE	TOTAL # of FINDINGS CORRECTED	TOTAL # of FINDINGS NOT CORRECTED
		Responsibilities of Private Providers of Special Education or Other Non-LEA Program in the Implementation of IEPs	ED 1114.06 (g)	Hunter School must maintain progress information on each child with a disability on an ongoing basis. Currently staff is dependent upon utilizing anecdotal information and work samples to document student progress. IEP goals are not measurable or related to the curriculum or assessment data, therefore IEP progress is not able to be measured.	1-14-11	1-14-11	YES			
		Program Requirements, Equal Educational Opportunities/Full Access to the General Curriculum	ED 1114.05 (g) (j)	Students enrolled at the Hunter School must have full access to curricular standards established for NH schools and school districts, and have certified staff and/or consultants providing oversight to course offerings/ instruction. Hunter School must demonstrate that there is a viable curriculum at both the elementary and middle school levels, which meets all of the NH Curriculum Requirements.	1-14-11	1-14-11	YES			
		Qualifications and Requirements for Instructional, Administrative and Support Personnel	ED 1114.10	There must be certified staff or consultants available to implement the curriculum.	11-5-10	11-5-10	YES			

PRIVATE SPECIAL EDUCATION SCHOOL NAME	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDINGS	SUMMARY OF NON-COMPLIANCE	FOLLOW UP VISIT DATE(S)	VERIFIED DATE OF CORRECTION OF NON-COMPLIANCE	WAS THE AREA OF NON-COMPLIANCE CORRECTED WITHIN ONE YEAR	TOTAL # OF FINDINGS OF NON-COMPLIANCE	TOTAL # of FINDINGS CORRECTED	TOTAL # of FINDINGS NOT CORRECTED
		Qualifications and Requirements for Instructional, Administrative and Support Personnel	ED 1114.10	At the time of the NHDOE Case Study Compliance Review at Hunter School, all classroom teachers and the principal held current NH teaching/administration certification. However, the four educators on staff are responsible for teaching most all of required content as outlined in the NH Minimum State Standards and do not benefit from supervision or consultation with educators who hold appropriate certification in academic content areas; this is especially significant at the middle school level. The Hunter School must ensure that all administrative, instructional and related service staff holds appropriate certification or licensure for the position in which they function as required by the state of NH and other licensing entities.	1/14/2011, 3/24/11, 5/4/11 (*next scheduled July 11, 2011)		NOT CORRECTED S*			
		Behavioral Interventions; Use of Restrictive Behavioral Interventions	ED 1114.07; ED 1114.09	Based on the December 8, 2009 visitation to Hunter School, and review of the supporting documentation provided, the school needs to review and revise current behavior management policy and procedures to ensure that all are in compliance with both state and federal special education rules and regulations. In addition, attention needs to be given to ensuring that IEPs reflect documentation as related to behavior management plans, and monitoring of progress	1-14-11	1-14-11	YES			

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		Employee and Volunteer Background Investigations	ED 1141.11	Hunter School must provide documentation that all individuals providing direct instruction have completed a background investigation consistent with provisions of RSA 189:13.	1-14-11	1-14-11	YES			
		Governance	ED 1114.03 (c)	The governing board of Hunter School must ensure that the program is in compliance with all state, federal, and local laws concerning the education of children with disabilities, including IDEA, and RAS 186-C. At the time of the December 8, 2009 visit to Hunter School, multiple citations of non-compliance were identified, and all policy and procedures are in need for review and revision.	1/14/2011, 3/24/11	5-4-11	YES			
		Responsibilities of Private Providers of Special Education or Other Non-LEA Programs in the Implementation of IEPs	ED 1114.06 (f)	Hunter School must have a process in place to ensure that lesson plans are clear, concise and reflective of IEP goals. At the time of the December 8, 2009 visitation to Hunter School, there was not sufficient evidence of this process to demonstrate compliance.	1-14-11	1-14-11	YES			

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		Responsibilities of Private Providers of Special Education or Other Non-LEA Programs in the Implementation of IEPs	ED 1114.06 (b)	The Hunter School must demonstrate that each classroom has sufficient supplies, materials and equipment necessary to implement IEPs and to provide full access to the general curriculum requirements.	1/14/2011, 3/24/11	5-4-11	YES			
		Qualifications and Requirements of Instruction, Administrative and Support Personnel	ED 1114.10 (c)	Hunter School must review all procedures for the supervision and evaluation of staff to ensure they are updated and aligned with the draft master professional development plan in accordance with ED 500 certification standards for educational personnel in New Hampshire. Significant attention must be directed toward quality teacher supervision and evaluation and the direct connection with curriculum, instruction and assessment.	1-14-11	1-14-11	YES			
		Administration, Governance	ED 1114.04 (a); ED 1114.03 (e)	The external audit for the Hunter School must be submitted. Documentation must be provided indicating that the governing board reviewed and approved the annual budget and the budget audit.	1-14-11	1-14-11	YES			

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		Rate Setting	ED 1129.01	The NHDOE has indicated rates set for the Hunter School were set for a maximum capacity of 14 students. At the time of the December 8, 2009 Case Study Compliance Review, there were 24 students enrolled; this exceeds agreed upon rate setting with the NHDOE.	1-14-11	1-14-11	YES			
<b>Center of Optimum Learning, Inc (COOL)</b>	1/11-1/12, 2010	Measurable Goals	ED# 1109.01, CFR §300.320(a) (2i) ED 1114.05 (g)	The two IEPs reviewed during this visit lacked statements of measurable annual goals.	n/a, 2/15/11	6-9-10, 2/15/11	YES	2	2	0
		Program Requirements, Equal Educational Opportunities/Full Access to the General Curriculum; Provision of Staff and Staff Qualifications	ED 1114.05 (j), CFR §300.320, Ed 306.15	All instructional staff does not hold appropriate certification for the position in which they function as required by the state of NH. There is a need to provide consultation to the certified staff in areas not currently met. These areas include: Art Education, Music, Health, Physical Education, Information and Communication Technology, Mathematics, Science, Social Studies, English/Language Arts, Family & Consumer Science, Technology Education and Elementary Education.	2-15-11	4-19-11	YES			

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<b>Shaker Road School</b>	1/21-1/22, 2010	Measureable Goals	ED#1109.01 (a) (1) (i); CRF # 300.320 (a) (2) (i)	Not all annual goals were written in measurable terms.	5-6-10	5-6-10	YES	1	1	0
<b>Mount Prospect Academy (Becket Family of Services)</b>	3/8-3/9, 2010	Program Requirements (c)	ED 1114.05	Prior to enrolling a student at MPA, the school must ensure that the LEA provides an IEP that meets all requirements of ED 1109. Two of the IEPs reviewed lacked annual measurable goals.	5-12-11	5-12-11	yes	2	2	0
		Qualifications and Requirements for Instructional, Administrative and Support Personnel	ED 1114.10 (a)	At the time of the 2010, NHDOE Case Study Compliance Review there was 4 teachers who did not hold NH Certification. All of these individuals were in the process of obtaining certification.	5-12-11	5-12-11	yes			
<b>Coe-Brown Northwood Academy</b>	3/23-3/24, 2010	Elements of an Individualized Education Program	ED1109.01, CRF 300.320	Three out of four IEPs reviewed by the visiting team did not contain measurable goals. All IEPs must be written in measurable terms.	3/30/2011, 5/12.2011		NOT CORRECTED (per DOE, a follow up visit will be scheduled for Dec 2011)	5	3	2

PRIVATE SPECIAL EDUCATION SCHOOL NAME	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDINGS	SUMMARY OF NON-COMPLIANCE	FOLLOW UP VISIT DATE(S)	VERIFIED DATE OF CORRECTION OF NON-COMPLIANCE	WAS THE AREA OF NON-COMPLIANCE CORRECTED WITHIN ONE YEAR	TOTAL # OF FINDINGS OF NON-COMPLIANCE	TOTAL # of FINDINGS CORRECTED	TOTAL # of FINDINGS NOT CORRECTED
		Evaluation	ED 1107.01 CRF 300.301	Two out of four of the case studies did not complete a three year evaluation in a timely fashion and did not convene an IEP Team to determine that an evaluation was not necessary or to extend the time frame. Students' most recent evaluation, including a written summary report and meeting, will be held within 45 days of parental permission, with the possibility of a 15 day extension.		3-30-11	YES			
		Transition Services	ED 1109.03/CF R 300.43	Four IEPs did not contain measurable Transition goals. In addition, several IEPs did not contain transition services including a coordinated set of activities, instruction and consideration of community services. One IEP out of four did not include a statement of needed transition service needs as a coordinated set of activities. One IEP out of four did not include a statement of needed transition services with consideration of instruction. Two IEPs out of four did not include a statement of needed transition services and considers community experiences. Transition plans will include coordinated, measurable, annual goals and will include transition services that will consider needed transition services as a set of coordinated activities and includes instruction and the development of employment objectives.	5-12-11		NOT CORRECTED (per DOE, a follow up visit will be scheduled for Dec 2011)			

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		Governance (c)	Ed 1114.03	The governing body shall ensure that the program is in compliance with all federal, state, and local laws concerning the education of children with disabilities including the IDEA and RSA 186-C. CBNA needs to bring its policies and procedures into compliance with the standards of the New Hampshire Rules for the Education of Children with Disabilities effective June 30, 2008.		3-30-11	YES			
		Program Requirements (c),	Ed 1114.05	"Prior to enrollment, the sending LEA shall send a copy of the IEP that meets the requirements of Ed 1109 to each private provider of special education or other non-LEA program". CBNA accepted IEP's that did not meet compliance.		3-30-11	YES			
<b>Spaulding Youth Center</b>	3/24-25, 2010	<b>No Findings of Non-Compliance</b>						0	0	0

PRIVATE SPECIAL EDUCATION SCHOOL NAME	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDINGS	SUMMARY OF NON-COMPLIANCE	FOLLOW UP VISIT DATE(S)	VERIFIED DATE OF CORRECTION OF NON-COMPLIANCE	WAS THE AREA OF NON-COMPLIANCE CORRECTED WITHIN ONE YEAR	TOTAL # OF FINDINGS OF NON-COMPLIANCE	TOTAL # of FINDINGS CORRECTED	TOTAL # of FINDINGS NOT CORRECTED
<b>Bryant Academy Middle School SCHOOL CLOSED AS OF 6/30/10</b>	3/17 + 4/2, 2010	Program Requirements, Equal Educational Opportunities/Full Access to the General Curriculum	Ed 1114.05 (g) (j) CFR 300.320	Bryant Academy must give immediate attention to this requirement. Students enrolled in the Bryant Academy Middle School need to have full access to middle school curriculum requirements. The newly established curriculum must have a direct connection to daily instruction and there must be evidence that all aspects of the curriculum are being implemented. The expanse of middle school curricular offerings as required by the NHDOE must be provided. Also, the established curriculum must have a direct connection to either 'in house' certified staff or certified consultants for each of the curricula requirements. In addition, assessment strategies must be developed that are consistent with the published curriculum.				4	N/A	N/A
		Qualifications and Requirements for Instructional, Administrative and Support Personnel	Ed 1114.10 (a)	Bryant Academy must demonstrate that 'in house' teachers are being provided with technical assistance and consultation in all of the required curricular content areas. At the time of the March/April 2010 NHDOE Case Study Review at Bryant Academy, a personnel roster of certified consultants was provided, however due to the extreme turn over in staff, the consultants have not been utilized.						

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		Employee and Volunteer Background Investigations	Ed 1114.11 (a)	Consistent with the provisions of RSA 189:13-a, prior to an offer of employment, Bryant Academy must complete a background investigation, for all staff, administration and volunteers providing direct services to students.						
		Program Requirements	ED 1114.05 (k) CFR 300.320	Bryant Academy must ensure that students with disabilities participate in statewide education improvement and assessment program as required by 34 CFR 300.157 and 300.320. Due to staff turnover and subsequent lack of oversights on the part of the Bryant Academy, it was reported that the student presented for the NHDOE Case Study presentation had not successfully participated in NECAP assessments.						
<b>Easter Seals Lancaster</b>	4/6 + 4/7, 2010	Individual Education Plans	ED 1119.01	At the Easter Seals Lancaster School, all IEPs must meet compliance with state and federal special education rules and regulations. This includes measurable annual goals, and transition plans that have all required components. Staff members need to ensure the transition plans in student IEPs meet all requirements.	4-13-11	4-13-11	YES	4	4	0
		Statement of Transition Services	Ed 1109.01 (a)(10)	One IEP presented did not include a statement of the transition service needs that focuses on the student's course of study.	4-13-11	4-13-11	YES			

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		Emergency Intervention Procedures	Ed 1114.08-09, CFR 300.530-300.536	The Easter Seals Policies and Procedures Manual must be updated to include and be consistent with the requirements of IDEA 2004 and NH Rules for the Education of Children with Disabilities of June 30, 2008.	4-13-11	4-13-11	YES			
		Emergency Intervention Procedures	Ed 1114.08-09, CFR 300.530-300.536	Behavioral Interventions: Consistent with requirements of IDEA 2004 and the NH Rules for the Education of Children with Disabilities of June 30, 2008, the Easter Seals Policies and Procedures Manual must be updated to include the following information regarding Behavioral Interventions: All crisis or emergency intervention procedures that include restrictive behavioral interventions shall be included in the student's IEP. Use of Aversive Behavioral Interventions: The policy and procedures manual must include statements regarding Ed 1114.09. This includes the following statement: "If authorized in writing by a physician and an IEP team, the following interventions may be used: 1. Non-medical mechanical restraint 2. Physical restraint The Easter Seals Lancaster Policy and Procedures manual must also include Ed 1114.09 (b) items 1 through 9, relative to the use of restrictive behavioral interventions.	4-13-11	4-13-11	YES			

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<b>Cedarcrest School</b>	4/14-15/2010	Access to equal educational opportunities; access and ability to progress in general curriculum	ED 1114.05(g), CRF 300.320	Cedarcrest curriculum is not sufficient to enable students enrolled at Cedarcrest to have access to equal education opportunities.	6-21-11, (further follow up scheduled in Sept. 2011)			3		
		Elements of an Individualized Education program	ED 1109.01, CRF 300.320	IEPs reviewed did not have measurable goals.						
		Transition	ED1109.01 (a) (10), CFR 300.43	IEP reviewed had no evidence of a) measurable post-secondary goals, b) Transition Services Needs statement, c) current level of performance related to Transition Services, d) Transition Services presented as a coordinated set of activities, e) Transition services and instruction, f) Transition Services and community experiences, g) Transition Services and the development of employment skills						
<b>Second Start Alternative HS</b>	3/10-11/2010	Contents of an IEP	ED1109.01/ CRF 300.320	Two IEPs reviewed by the visiting team did not contain measurable goals.	1/21/11, 5/4/11, 6/8/2011	6-17-11	YES	8	8	0

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		Transition Planning	ED 1102.01/CF R 300.124	One IEP did not contain measurable Transition goals.	1/21/11, 5/4/11, 6/8/2011	6-17-11	YES			
		Transition Planning	ED 1102.01/CF R 300.124	Each of the IEPs reviewed by the visiting team had no documentation that the student had been invited to the Transition planning meetings.	1/21/11, 5/4/11, 6/8/2011	6-17-11	YES			
		Summary of child's academic achievement and functional performance...provided prior to eligibility termination (graduation).	ED 1109.04(c)/C FR 300.305(e) (2)	One out of two IEPs reviewed by the visiting team did not contain a summary of academic achievement and functional performance although the student was scheduled to graduate.	1/21/11, 5/4/11, 6/8/2011	6-17-11	YES			
		Certification of all administrative, instructional, and related services staff	ED 1114.05(j)	The program director of Second Start Alternative High School is not certified as an administrator although he is responsible for supervising and evaluating staff. Although the Executive Director is certified as an administrator (principal), he is not on site and has not had any role in supervising or evaluating staff.	1/21/11, 5/4/11, 6/8/2011	6-17-11	YES			

PRIVATE SPECIAL EDUCATION SCHOOL NAME	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDINGS	SUMMARY OF NON-COMPLIANCE	FOLLOW UP VISIT DATE(S)	VERIFIED DATE OF CORRECTION OF NON-COMPLIANCE	WAS THE AREA OF NON-COMPLIANCE CORRECTED WITHIN ONE YEAR	TOTAL # OF FINDINGS OF NON-COMPLIANCE	TOTAL # of FINDINGS CORRECTED	TOTAL # of FINDINGS NOT CORRECTED
		Contents of an IEP	ED1109.01/CRF 300.320	Two IEPs reviewed by the visiting team did not contain measurable goals.	1/21/11, 5/4/11, 6/8/2011	6-17-11	YES			
		Transition Planning	ED 1102.01/CFR 300.124	One IEP did not contain measurable Transition goals.	1/21/11, 5/4/11, 6/8/2011	6-17-11	YES			
		Transition Planning	ED 1102.01/CFR 300.124	Each of the IEPs reviewed by the visiting team had no documentation that the student had been invited to the Transition planning meetings.	1/21/11, 5/4/11, 6/8/2011	6-17-11	YES			
<b>Sununu Youth Services Center</b>	3/9-10/2010	Transition Services Elements of an IEP	Ed. 1102 CFR 300.43 Ed. 1109.01	While the IEPs reviewed included transition planning components one IEP did not include coordinated, measurable IEP goals that included transition services. There was no documentation for two students that they were invited to their IEP meeting although both students did attend and signed in.	4-27-11	4-27-11	YES	1	1	0

PRIVATE SPECIAL EDUCATION SCHOOL NAME	DATE OF CASE STUDY COMPLIANCE REVIEW VISIT	FINDINGS OF NON-COMPLIANCE	ED # OF FINDINGS	SUMMARY OF NON-COMPLIANCE	FOLLOW UP VISIT DATE(S)	VERIFIED DATE OF CORRECTION OF NON-COMPLIANCE	WAS THE AREA OF NON-COMPLIANCE CORRECTED WITHIN ONE YEAR	TOTAL # OF FINDINGS OF NON-COMPLIANCE	TOTAL # of FINDINGS CORRECTED	TOTAL # of FINDINGS NOT CORRECTED
Lakeview School	3/3-4/2010	Qualifications and Requirements for Instructional, Administrative and Support Personnel	Ed. 1114.10	All administrative, instructional and related service staff shall hold appropriate certification for the position in which they function as required by the State of New Hampshire. The Lakeview School does not currently have all staff certified for the position in which they function, including the Special Education Administrator who is in the process of acquiring certification. The school also does not have contracts with appropriately certified educators to support teachers in those roles.	4-28-11	4-28-11	YES	2	2	0
		Transition Services	Ed. 1102.	Transition Planning is designated as a results oriented process and includes coordinated annual measurable goals and transition services that will reasonably enable the student to meet transition goals. The Lakeview School has included transition goals but lacks specific measurability and a clear description of services that will reasonably enable the student to meet transition goals.	4-28-11	4-28-11	YES			

## FEEDBACK/REACTIONS FROM STAFF AT THE PRIVATE SCHOOLS WHO DEVELOPED AND PRESENTED THE 2010-2011 CASE STUDY COMPLIANCE REVIEWS

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Upon completion of each Case Study Compliance Review, all staff who presented the Case Studies were asked to provide feedback regarding the process. (See appendix for Building Team reactionnaire.) Below is a summary of the reactions that were submitted.

<b>Reactions from Building Level Team Members</b>	<b>Average Response</b>
<b>Scale: (4) Fully (3) Mostly (2) Partially (1) Poorly/Not at all</b>	
The NHDOE/SERESC technical assistance/support in preparation for the Program Approval Visit was valuable.	3.7
The materials provided for this Program Approval Visit were appropriate and useful.	3.6
<b>Indicate the degree to which each of the following participated in data collection for the visit:</b>	
Parents	2.6
Related Service Providers	3.7
Administrators	3.3
General Educators	3.1
Students	3.0
This visit added to my knowledge of special education rules and regulations.	3.1
I will use ideas/information from this visit in my professional practice.	3.5
The review of student outcome data in the Case Study Process increased my knowledge of the effectiveness of my educational community's programs and services.	3.5

## INTERPRETATION/ANALYSIS OF CASE STUDY PROCESS DATA

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Generally speaking, the results indicate that staff embraced the process and the opportunity for self assessment. Specifically, building level team members found that the case study process was a useful job embedded professional development activity that increased their knowledge in a variety of areas. The Case Study Compliance Review allowed staff to identify areas of strength and weaknesses in their own practice as well as finding it to be a valuable professional learning experience. Additionally, as noted in the summary above, the case study process was collaborative in nature and included general and special educators along with parents, students and administrators.

## FEEDBACK REACTIONS FROM THE INDIVIDUALS WHO SERVED AS VISITING TEAM MEMBERS 2009-2010 CASE STUDY COMPLIANCE REVIEWS

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A concluding activity of the 2-day Case Study Compliance Review is to gather feedback from those individuals who served as visiting team members. (See appendix for visiting team reactionnaire.) Below is a summary of the reactions that were submitted.

Reactions from Visiting Team Members	Average Response
<b>Scale: (4) Fully (3) Mostly (2) Partially (1) Poorly/Not at all</b>	
<b>The orientation by the Technical Assistant on the 1st morning of the visit helped me understand . . .</b>	
How to use the forms	3.8
The collaborative nature of the process	3.9
The focus in the case study on measuring student progress toward IEP goals	3.7
The materials provided for this compliance review were appropriate and useful.	3.8
<b>The following process of summarizing the data was effective . . .</b>	
Completing the Building Level Summary Form	3.8
The discussion at the "Report Out"	3.9
This visit added to my knowledge of special education rules and regulations.	3.6
I will bring new ideas/information from this visit back to my school / classroom.	3.7

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#### INTERPRETATION/ANALYSIS OF VISITING TEAM FEEDBACK DATA

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The results of the feedback above indicate that the visiting team members participating in case study reviews had very positive reactions to the process, especially to the "Report Out" at the end of the Case Study Review. They found the process collaborative, with a focus on the student, student progress and the IEP. The training provided to them was clear and helpful, and the documents provided were appropriate in checking for required compliance. Visiting team members found that the process added to their special education knowledge and provided ideas/information they could bring back to their classrooms.

### SECTION 5: SUMMARY OF OTHER SPECIAL EDUCATION PROGRAM APPROVAL ACTIVITIES AND DATA COLLECTED

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#### REACTIONS FROM ORIENTATION/INFORMATION SESSIONS

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A Case Study orientation was held on March 30, 2010 for the 2010-2011 Case Study sites and a Focused Monitoring Orientation was held on May 4, 2010 for the 2010-2011 FM sites. A feedback form was provided, asking attendees to list "positives", "concerns" and "interesting insights" resulting from the information sessions. The results are included in the appendix.

#### NHDOE SPECIAL EDUCATION PROGRAM APPROVAL VISITS TO NEW PROGRAMS / CHANGED PROGRAMS

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As part of the NHDOE Special Education Program Approval Process, the Program Approval Management Team works with the Bureau of Special Education in the oversight and coordination of application materials for new special education programs. This includes logging requests for application materials, distributing applications, providing technical assistance to the field, conducting visits and writing summary reports. During the 2010-2011 school year there were 49 requests for application materials for establishment of new special education

programs or changes to existing programs, which is consistent with the increased volume of request over the past few years. As such the continued high volume of requests represented a significant increase in the time dedicated to the application process and necessary follow up by both the management team and the project assistants who process the application materials.

**Listed below is a summary of all new program/change to program requests, along with the status of the application as of June 30, 2011:**

<b>NHDOE NEW AND CHANGE TO PROGRAM APPLICATIONS</b>						
<b>NAME OF DISTRICT/AGENCY SUBMITTING APPLICATION</b>	<b>SAU</b>	<b>NAME OF PROGRAM</b>	<b>REQUEST TYPE</b>	<b>DATE MATERIALS RECEIVED</b>	<b>DATE APPLICATION APPROVED</b>	<b>APPROVED THROUGH DATE</b>
Raymond - Iber Holmes Gove Middle School	33	The Connections Program	new program	5/28/10	7/9/10	6/30/11
Manchester Hard of Hearing Preschool	37	Hard of Hearing/Hearing Side by Side Preschool	New program	10/30/10	10/26/2010	unless otherwise notified
Goshen-Lempster	71	Goshen-Lempster	age change	6/22/10	8/17/10	6/30/11
Derry	10	Intensive Structured Learning Environment ISLE	new prog	9/27/10	4/28/11	unless otherwise notified
Seacoast Learning Collaborative		Seacoast Learning Collaborative	add disability	10/18/2010, 2/28/11,5/3/11,6/14/11	8/17/11	6/30/13
Strafford Learning Center		Pre-school Program	PS location change, Project Based Learning	8/10/10	8/19/10	6/30/2014
Strafford Learning Center		Project Based Learning Program/John Powers School	Change name to Charles Ott Academy	2/15/11 letter rec'd from SAU9,6/6/11 still some missing	5/17/11	6/30/2014

Litchfield School District	27	Developmentally Disabled	add disability: Multiple Disabilities	11/24/10		
Hinsdale High School	38	Life Skills Program	add disability - Autism	1/10/11	10/24/10	unless otherwise notified
Eckerd Youth Alternative Services		Lakes Region Academy	new program	9/27/10, 11/5/2010	8/19/11	6/30/11
Spurwink School		Spurwink School	new school			
Pembroke	53	TLC program at Allentown Elem	new PS program			
Concord School District	8	Autism	new program - sent info to: to Kate O'Connor for Rob Prohl	12/1/10		
North Country Independent Living changed to North Country Learning Center		NCLC	new school			
Goffstown	19	Preschool at Glen Lake	"speech only" preschool-new program		n/a	n/a
Easter Seals		Magical Connections Preschool in Raymond	new school	5/12/09	3/15/11	6/30/12
Timberlane	55	Danville Elem, Atkinson Academy, Sandown North	Change K & PS	1/14/11	1/31/11	unless otherwise notified
Hollis	41	Life Skills	Life Skills -HS & MS	1/14/11		
Haverhill	23	King St. School	inc capacity		1/14/11	unless otherwise notified
Madison	13	Madison	new autism prog			
Pine Haven Boys Center		Pine Haven Boys Center	new day program	2/18/11, 3/2/11		
Franklin	18	Merging Rivers Academy	HS redesign	2/14/11	n/a	n/a

Hillsboro-Deering		REACH- Respect, Educate, Achieve, Challenge, High expectations	change name to elem program (formerly Alt)	3/8/11	2/11/11	unless otherwise notified
Hillsboro-Deering		ASPIRE-Achieve Success, Promote independence, Respect & Educate	new elem program	3/28/11	3/15/11	6/30/12
Pembroke		TLC program at Allenstown Elem	new PS program			
Concord School District	8	ACCESS (not acronym)	change name from Self-Contained Inclusion to ACCESS (not acronym)	3/23/2011, letter	2/28/11	unless otherwise notified
Birchtree Center		Birchtree Center	personnel changes	3/29/11		
Goshen-Lempster	71	Student Assistance for Education Program SAFE	add disabilities	4/14/2011 (incomplete app)	3/8/11	unless otherwise notified
Easter Seals Jolicoeur School		Zachary Rd.	decrease capacity	4/26/11		
Learning Skills Academy		Learning Skills Academy	new program	3/28/11		
Hollis-Brookline	41	Brookline Early Education Program	inc capacity	6/14/2011 (incomplete-fire, personnel)	3/15/11	unless otherwise notified
Claremont	6	Stevens HS-TNS	add disability	3/23/11	4/7/11	unless otherwise notified
Farmington	61	The Behavior Lab	relocate program	5/5/2011 letter recd	4/12/11	unless otherwise notified
Wediko Children's Services		Wediko Children's Services	change capacity	5/13/11 letter rec'd	6/30/11	6/30/13
Sunapee	85	Preschool program	new program	4/26/11, 5/12/2011	6/23/11	unless otherwise notified
Sunapee	85	middle high program	new program	5/12/11		

Strafford LC		Rochester Learning Academy	new program	5/25/11		
Northwood	44	Northwood Elem	new program			
RSEC		Sunrise	add days to program	6/10/2011, 7/6/11		
Pelham	28	Pelham Preschool	add 2 disabilities	1/9/11		
Pelham	28	Pelham Alternative Learning Setting (PALS)	new program	6/22/11		
Winchester	94	Middle School Life skills (formerly ASD Collaborative)	Change program for new SAU and add disabilities?	6/23/2011letter recd		
Hillsboro-Deering	34	ASPIRE-Achieve Success, Promote independence, Respect & Educate	change in grade level	6/29/2011letter recd		
Birchtree Center		Birchtree Center	increase in capacity	5/19/11		
Amherst	39	Preschool Program	new program	10/6/11		
Mt. Prospect Academy		Mt. Prospect Academy	decrease capacity	1/9/10	6/30/11	6/30/13
Learning Skills Academy		Learning Skills Academy	inc capacity	6/22/11		
Franklin	18	Paul Smith School	restructure from K-2 to K-4	6/23/11		
Cedarcrest Center		Cedarcrest Ctr	add gr 12, change ages, add autism	6/29/11		

## APPENDIX

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1. Management Team Contact List
2. Volunteer Form
3. Visitor Orientation Manual
4. IEP Review Training Materials
5. LEA Student Specific Findings of Non-Compliance Materials for Private and Public Schools and Sending LEAs
6. PSU Course Description
7. Focused Monitoring Symposia Agendas (4)
8. IEP Review Data Collection Forms
9. Parent and LEA Surveys
10. Reactionnaires for Building and Visiting Level Team Members
11. Orientation / Information Session Feedback (PCI)
12. Improvement/Action Plan