

# INFORMATION AND INSTRUCTIONS

## FOR NHDOE SPECIAL EDUCATION / NONPUBLIC SCHOOL APPROVAL FOR PRIVATE SPECIAL EDUCATION PROGRAMS

2010-2011

**Based on**  
**The Individuals with Disabilities Education Improvement Act (IDEA) (2004)**  
**New Hampshire Rules for the Education of Children with Disabilities (Ed 1100, 2008)**  
**New Hampshire Rules for the Approval of Nonpublic Schools (Ed 400, 2005)**

**New Hampshire Department of Education**  
**INFORMATION AND INSTRUCTIONS FOR NHDOE SPECIAL EDUCATION APPROVAL AND**  
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## INFORMATION AND INSTRUCTIONS

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, ages 3-21, with educational disabilities. The goal of Special Education Program Approval is to ensure compliance with federal laws (IDEA 2004), regulations and the NH Rules for the Education of Children with Disabilities (Ed 1100, 2008), resulting in improved outcomes for students with disabilities.

**Beginning in 2009-2010 schools applying for Special Education Program Approval will apply for Nonpublic School Approval at the same time. The applications have been combined. (Ensuring compliance with New Hampshire Rules for the Approval of Nonpublic Schools [Ed 400, 2005].)**

### **1. SUBMISSION OF APPLICATION MATERIALS FOR THE COMBINED NHDOE SPECIAL EDUCATION PROGRAM APPROVAL AND NONPUBLIC SCHOOL APPROVAL PROCESSES**

**Private facilities/non-district programs are required to complete the full application (including self-study and inspection forms) and submit a complete copy of all current special education policies and procedures. (See list below)** Your self-study must specify the documentation that provides evidence of compliance for each requirement. Indicate document name and page number or other descriptive information. The documents referred to, including the inspection forms, should be submitted as part of the application. The application materials provide basic information regarding programs, and are also the means by which corrective actions from the previous compliance visit are addressed.

#### **LEA Survey**

An LEA survey is required as part of the Case Study Compliance Review. The survey and instructions are part of the application packet. The school is responsible for tabulating and assessing the results.

#### **Parent Survey**

A parent satisfaction survey is required as part of the Case Study Compliance Review. The survey and associated pages are part of the application. The survey must be distributed to all parents who have students with educational disabilities at the school. The school is responsible for tabulating and assessing the results.

### **ALL COMPLETED APPLICATION PAPERWORK MUST BE SUBMITTED BY DECEMBER 15TH, INCLUDING:**

- ♦ Signed Assurances Page
- ♦ \* Current Program Information Form
- ♦ School Profile / Demographic Information
- ♦ Answers to additional questions for Nonpublic School Approval
- ♦ School Mission and Administrative Structure
- ♦ Description of Corrective Actions/Improvements Resulting From the Previous Approval Visit
- ♦ Summary and Analysis of LEA Survey Responses
- ♦ Summary and Analysis of Parent Survey Responses
- ♦ Personnel Rosters
- ♦ Directions to the initial meeting place for the visiting team members

### **IN ADDITION TO THE APPLICATION PLEASE SUBMIT BY 12/15:**

1. Complete Copy of All Current Special Education Policies and Procedures
2. Self-Study Pages and supporting documentation
3. Fire and Health Inspection Forms
4. Secretary of State Registration document
5. Non-Profit Status document
6. School Calendar showing 180 days of instruction

\* Current program information forms submitted should match the information in NHSEIS. The Technical Assistant assigned to your site will review a NHSEIS verification printout with you and make corrections to either the NHSEIS printout or the program information form, as necessary.

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**For any New Programs or Changes to Programs**

For any new special education programs or changes to existing programs, such as changes to location, grade level or disabilities served in an approved program, a “New Program or Change to Existing Program Application” must be filed with and approved by the NHDOE. To receive a form, contact Jane Bergeron-Beaulieu, [jbergero@seresc.net](mailto:jbergero@seresc.net), Pat Larkin, [pat@seresc.net](mailto:pat@seresc.net) or Helen Leddy, [helen@seresc.net](mailto:helen@seresc.net) or call 206-6800. **PLEASE NOTE:** This form is not available on the SERESC website due to the unique aspects of individual programs and clarification needed.

**2. NH DEPARTMENT OF EDUCATION REVIEW OF APPLICATION MATERIALS**

- (a) The required application materials will be reviewed by the NHDOE, Bureau of Special Education, for purposes of completeness, and additional information may be requested if deemed necessary. The review will list and address the required approval criteria and outline the applicant program's status with regard to each approval criterion. Such written reviews shall be made available to the applicant program.
- (b) Prior to conducting the Case Study Compliance Review, the State Department of Education will determine that the program applying for approval is fiscally solvent.
- (c) Any findings of non-compliance, required actions for improvement and/or suggestions for improvement resulting from the review of the application and additional application materials will be forwarded to the applicant program in writing as part of the Case Study Compliance Review Report.

**3. THE CASE STUDY COMPLIANCE REVIEW**

- (a) A Program Approval Technical Assistant (TA) will work with the facility well in advance of the visit to determine the number of case studies selected for data collection and review. The TA will randomly select students who will serve as the Case Studies. It is expected that all individuals who are involved in the case studies (special educators, general educators, paraprofessionals, and related service providers) will be available to work with the visiting team members during the visit. This will require advance planning and coverage for classroom teachers.
- (b) The New Hampshire Department of Education will work with the Program Approval Technical Assistant to gather a team of professionals from the field of education who have no personal and/or financial interest in the private facility/non-district program applying for approval. These individuals will be chosen on the basis of their professional training, experience, and ability to provide technical assistance to the type of program for which approval is being requested.
- (c) The Case Study Compliance Review will focus on three areas: **(1) Access to the General Curriculum, (2) Transition and (3) Behavior Strategies and Discipline.** In their case study presentations, case study teams will demonstrate evidence of their practice and compliance with state and federal special education rules and regulations in these three key areas, linking these areas to student progress and achievement.
- (d) On the first morning of the Case Study Compliance Review, the visiting team and representatives from the facility will meet for an orientation. We ask that the Education/Special Education Director, Executive Director and other representatives from the program be available at the start of the orientation to meet the team and provide an overview of special education services.
- (e) The Technical Assistant from SERESC typically interviews the Executive Director, Education/Special Education Director and a Board member during the visit.
- (f) The Visiting Team members will work collaboratively with principals, teachers, parents, students and related service providers to conduct all Program Approval activities. A building contact person will be asked to assist in coordinating data collection activities.

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- (g) At the end of the Case Study Compliance Review, the visiting team will collaborate with building level personnel regarding findings of data collected. The report-out and verbal summary of the Team's findings will be scheduled the afternoon of the last day, and will be a brief synopsis of the data compiled and activities conducted. We ask that all persons who participated in the process attend the report-out.
- (h) Within approximately eight to ten weeks, the chairperson for the team will prepare a summary report of the visit, which will include the following:
  - ♦ A list of all visiting and building level team members participating in the Case Study Review
  - ♦ A review of the information submitted in the application materials
  - ♦ A review of the previous report and corrective action plan and compliance information
  - ♦ Commendations and suggestions for improvement for the program
  - ♦ Citations of noncompliance and required actions for improvement
- (i) The private school will have the opportunity to complete a validation form, responding to the factual information in the report.
- (j) A Corrective Action Plan will need to be written and reviewed by the assigned Technical Assistant.

#### **4. NOTIFICATION OF STATUS**

The Case Study Compliance Review process will result in a specific recommendation to the NHDOE, Bureau of Special Education for approval or non-approval of the application. Upon receipt and review of the Corrective Action Plan, the Program Approval Team will forward the Case Study Compliance Review Summary Report, the Corrective Action/Improvement Plan and all application materials to the NH Department of Education, together with any additional information and/or recommendations. After reviewing the materials, the State Director of Special Education shall determine the conditions for approval, including status and duration, and shall make one of the following approval determinations:

- **Approved**  
A status given to the program, in writing, from the State Director of Special Education, subsequent to the Case Study Compliance Review. This status is continuous for a maximum of a five (5) year period and indicates that the program meets the criteria and/or rules of the State of New Hampshire for the education of children with disabilities.
- **Provisionally Approved**  
A status given to the program, in writing, from the State Director of Special Education, subsequent to the Case Study Compliance Review. This status indicates the program has serious deficiencies that must be corrected forthwith.

Upon receipt of the approval letter from the State Director, the private school may contact the State Director within 10 days if there are any factual errors in the notification so that those factual errors may be corrected. If the private school does not respond within 10 days with factual corrections, the length of program and the conditions of approval will be final.

If the private school believes the length of approval or required corrective actions are inaccurate, invalid, not based on fact, or any combination of the foregoing, the private school may file a written grievance with Virginia Barry, Commissioner of Education, New Hampshire Department of Education, 101 Pleasant Street, Concord, NH 03301 within (10) days of receipt of the program approval notification letter pursuant to Ed. 1125.03. The letter should state the nature of the grievance and why the private school believes the listed deficiencies are inaccurate, invalid, or not based on fact. In those cases where a grievance exists, the private school will be notified as to the proper procedure regarding a hearing before the State Board of Education.

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**5. GENERAL PROVISIONS REGARDING THE APPROVAL AND OPERATION OF A PRIVATE FACILITY AND OTHER NON-DISTRICT PROGRAMS SERVING CHILDREN AND YOUTH WITH DISABILITIES**

- (a) The State Department of Education is empowered to monitor approved programs during the course of the approval period.
- (b) Programs granted approval are subject to re-evaluation at least every five (5) years. Re-evaluation shall involve a complete, objective study to determine the program's current status with regard to compliance with all relevant laws and regulations.
- (c) The State Department of Education is empowered to request a certified audit of any program finances during the initial study, if the program has been in operation for a sufficient period of time, during any subsequent re-evaluation, or, given reasonable ground, at any other time. The cost of such audits will be borne by the programs.
- (d) Any program approved for operation is required to report any of the following situations to the State Department of Education:
  - Any legal proceeding against the program or any employee of the program where such proceeding arises from circumstances related to the care or education of students in the program or the continued operation of the program, within ten (10) days of the initiation of such proceeding;
  - The death of any student, within twenty-four (24) hours of occurrence, while the student is enrolled in the program;
  - Any serious injury to, or any previously unidentified disorder or illness of a student, which occurs during the hours while the student is in the program and which requires in-patient hospitalization, within twenty-four (24) hours of occurrence;
  - Any change in the program, ownership policies, fiscal solvency, services, facilities, or location within one (1) week of such changes.

The program must inform the parents and the sending agency of the death, injury, or serious illness of a student. Any of the preceding situations may result in re-evaluation of the program.

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**Case Study Compliance Review  
Sample Parent Letter**

It is suggested that you contact parents of students who are chosen to be one of the case studies in your private school. Below is a sample letter that you might wish to adapt.

Date

Dear Mr. and Mrs. Last Name,

This year (private school name) will be participating in a New Hampshire Department of Education Special Education Program Approval review of the special education programs for students in our school. As part of this process, (private school) will be conducting case studies on a random sampling of the student population. Your child has been selected for a case study.

The case study process requires an in-depth review of your child's educational history, including information from student records, classroom observations and input from relevant staff, as well as interviews with parents and with the student as appropriate. The case study will focus on three areas: access to the general curriculum, transition planning, and behavior strategies and discipline. Through the lens of individual student progress, these reviews will provide us with a look at the effectiveness of (private school's) programs and services.

The New Hampshire Department of Education process involves a number of activities, including a visit to (private school) on date(s) by a team of certified educators. During the visit the team will be hearing the presentation of the case studies as well as talking with our educational staff and the parents and students who were selected for the case study reviews.

Parents are very important members of the IEP Team, and we strongly encourage you to be actively involved in the Case Study Process; your child's case manager will be in contact with you to provide additional details. If you have any questions, or would not like to participate in the process, please feel free to contact \_\_\_\_\_ by date. We welcome your ideas and collaboration and would like to thank you in advance for your participation in this important process.

Sincerely,

Name

Title

Contact information

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## **PARENT FEEDBACK**

The New Hampshire Department of Education Special Education Program Approval and Improvement Case Study Process requires that parents have an opportunity to offer input regarding their children's programs. Specifically, the NHDOE is requesting parents' perspectives on Access to the General Curriculum, Transitions, and Behavior Strategies and Discipline. This information will be gathered through the parent satisfaction survey on the next page. **The survey must be sent to parents of all children with identified educational disabilities.** The surveys should be sent home with a cover letter from you explaining the purpose and requesting a return within a week (see sample letter below).

**Once you receive the results, you will tabulate and analyze the information.** A summary of the results (see application) will be included in the Case Study Compliance Review report and will be helpful information for you as you write your Corrective Action and Improvement Plan.

Your technical assistant is available to answer any questions that you or your staff may have regarding this aspect of the Case Study Compliance Review.

### **Case Study Compliance Review** **Sample Parent Survey Cover Letter**

Date

Address

Dear Parents/Guardians,

This year (Private School Name) will be participating in a New Hampshire Department of Education Program Approval Review of the special education programs for students in our school. As part of that process, it is important to hear what parents think about their student's school experience. Specifically, we would like to know how satisfied you are with the special education services provided by the school and with the progress your student has made as a result of those supports.

We are enclosing a parent survey and ask that you complete it and send it back to (.....) by (date). Please complete a separate survey for each child receiving special education services.

Your completion of this survey is an important part of evaluating our school programs. Thank you very much for your participation and for your help with this process.

Sincerely,

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## **SURVEY OF SENDING LEAs**

Private schools provide necessary options to New Hampshire students with educational disabilities. Effective partnerships with LEAs are an important part of establishing and implementing successful private special education programs that improve student outcomes. By surveying LEA perceptions of current program(s), private schools can self assess these relationships and determine if there are areas in need of improvement. To this end, please distribute the survey on the next page to your contact people in all LEAs that have students currently enrolled in your school(s). Below you will find a sample letter that may be personalized and distributed along with the survey.

You will find a template in the application for reporting the results of the survey. **Please complete the results form, analyze the survey results and submit the results and analysis with your application.**

### **SAMPLE LEA SURVEY LETTER**

Dear LEA representative,

As part of our application for the New Hampshire Department of Education Program Approval and Improvement Process, we are required to survey all of our sending LEAs. A summary of this data will be included in our application.

Private schools provide necessary options to New Hampshire students with educational disabilities. Effective partnerships with LEAs are an important part of establishing and implementing successful private special education programs that improve student outcomes. By surveying the perceptions of sending LEAs, we can assess our relationships with you and determine if there are areas in which we can work together to improve.

Thank you for taking the time for fill out our survey. Please respond by date.

Sincerely,