

**New Hampshire  
Department of Education  
Bureau of Special Education**

**SPECIAL EDUCATION  
COMPLIANCE AND IMPROVEMENT  
MONITORING REPORT**

**Kearsarge Regional School District  
2013-2014**

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Compliance Monitoring Visit Conducted on  
May 1 and May 12, 2014

**Report Date: August 19, 2014**

## Overview of the Special Education Monitoring Process

New Hampshire has a responsibility, under federal law, to have a system of general supervision that monitors the implementation of the Individuals with Disabilities Education Act (IDEA) by school districts. The general supervision system is accountable for enforcing IDEA and the *New Hampshire Rules for the Education of Children with Disabilities* and for ensuring continuous improvement. As stated in section 616 of 2004 amendments to the IDEA, "The primary focus of Federal and State monitoring activities described in paragraph (1) shall be on -

- (A) Improving educational results and functional outcomes for all children with disabilities; and
- (B) Ensuring that States meet the program requirements under this part, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities."

There are eight components that comprise NH's general supervision system. It is important to note that although the components are separate, the components connect, interact and articulate requirements to form a comprehensive system. The general supervision system for NH has the following components.

- State Performance Plan (SPP)
- Policies, Procedures, and Effective Implementation
- Data on Processes and Results
- Targeted Technical Assistance and Professional Development
- Effective Dispute Resolution
- Integrated Monitoring Activities
- Improvement , Correction, Incentives and Sanctions
- Fiscal Management

The special education compliance and improvement monitoring review is one method that the Bureau of Special Education utilizes to implement the general supervision system. The special education compliance monitoring review is comprised of:

- Policies, Procedures, and Effective Implementation
  - District forms used to implement the special education process
- Special Education Personnel
- Monitoring of Special Education Process
- Improvement, Correction, Incentives and Sanctions

The intent of the special education compliance monitoring review is to:

- Improve student outcomes for students with IEPs
- Determine compliance
- Ensure districts understand and are implementing special education requirements in accordance with the *New Hampshire Rules for Education of Children with Disabilities*
- Improve special education policies, procedures and practices

The Bureau of Special Education participated in the Input Based Accountability System (IBAS) Monitoring process. In addition to the IBAS monitoring process, the Bureau of Special Education conducted a special education compliance monitoring and improvement review. The schools in the Kearsarge Regional School District that were monitored are Simonds Elementary School with a grade span of K-5 and the Kearsarge Regional Middle School with a grade span of 6-8.

The Bureau of Special Education also provided targeted professional development regarding the special education compliance and improvement review process and completion of the self-assessment data collection form. Prior to the onsite monitoring visit, the district was provided with a list of students with disabilities representative of each school based on grade level, disability, gender, and case manager. Students residing in the district who attended a charter school were also included in the representative sample.

During the onsite visit, the monitoring team selected 2 of the 3 student files from Simonds Elementary school and 7 out of the 10 student files from Kearsarge Regional Middle School for review. There were no students who attended a charter school from either school so charter school students could not be included in the review. There were a total of 9 files reviewed. Evidence was reviewed for either compliance areas 1-3 (questions 1-19) and 16-17 (questions 68-90) or compliance areas 4-15 (questions 20-67) on the self-assessment data collection form for each file review.

The monitoring visit, which was conducted on May 1 & 12, consisted of New Hampshire Department of Education (NHDOE) team members verifying district identified evidence for each self-assessment data collection question. The district was encouraged to invite their special education staff as well as related service providers to attend the review. Many of the district special education staff attended the review. During the review, the staff members were provided another targeted professional development opportunity to learn about implementing IDEA and the *New Hampshire Rules for the Education of Children with Disabilities* and to engage in a professional discussion of best practices for ensuring improved outcomes for students with disabilities.

The NHDOE, Bureau of Special Education review members for this compliance monitoring review included Santina Thibedeau, State Director of Special Education, and Education Consultants: Bridget Brown, Deborah Krajcik, Mary Lane, and Ruth Littlefield.

## **Policies, Procedures, and Effective Implementation**

Each district must have policies, procedures, and effective implementation of practices that are aligned and support the implementation of IDEA and the *New Hampshire Rules for the Education of Children with Disabilities*. As part of the special education compliance and improvement review, the monitoring team reviewed the district's policies and procedures manual for compliance as well as the district forms used to implement the special education process.

In addition, the Bureau of Special of Education cross checked the Annual Request for Federal Special Education Funds FY 14, IDEA Part B Section 611 Assurances, and District Policies to Support Assurance Standards with the district's policy and procedures manual to ensure that document name, date adopted, and pages were valid. Districts are required to submit assurance statements with their local application for IDEA funds.

The monitoring team reviewed the district's policies and procedures manual for the following components:

- Child Find pursuant to 34 CFR 300.111; Ed 1105; Ed 1126.01(b)(1)
- Confidentiality of Information pursuant to 34 CFR 300.610 – 300.627; Ed 1119; Ed 1126.01(b)(2)
- Special Education Facilities, Personnel and Services pursuant to Ed 1126.01(b)(3)
- Personnel Development pursuant to 34 CFR 300.207; Ed 1126.01(b)(4)
- Parent Involvement pursuant to 34 CFR 300.501(b); 34 CFR 300.501(c); 34 CFR 300.327; Ed 1126.01(b)(5)
- Public Participation pursuant to 34 CFR 300.212; Ed 1126.01(b)(6)
- Procedural Safeguards pursuant to 34 CFR 300.500; Ed 1120
- Referral and Disposition of Referral pursuant to 34 CFR 300.300; 34 CFR 300.301(b); 34 CFR 300.305; 34 CFR 300.124; Ed 1106
- Evaluation pursuant to 34 CFR 300.301 – 300.311; Ed 1107; Ed 1107.02
- Determination of Eligibility for Special Education pursuant to 34 CFR 300.306; Ed 1108
- The Individualized Education Program pursuant to 34 CFR 300.320; 34 CFR 300.320(b); 34 CFR 300.43; Ed 1109
- Placement of Children with Disabilities pursuant to 34 CFR 300.114 – 300.117; Ed 1111
- State Department of Education Monitoring of Educational Services and Programs for Children with Disabilities pursuant to Ed 1126.01(a)
- Coordination with other Local and State Agencies pursuant to Ed 1126.01(b)(10)
- Children with Disabilities Enrolled in Private Schools by Parents pursuant to 34 CFR 300.131 – 300.132; Ed 1126.01(b)(11)
- Instructional Materials in Accessible Formats pursuant to 34 CFR 300.172; Ed 1126.01(b)(12)
- Disciplinary Procedures for Children with Disabilities pursuant to 34 CFR 300.530 – 300.536; Ed 1124

- Dispute Resolution
  - Complaint Procedures pursuant to 34 CFR 300.153; Ed 1121
  - Alternative Dispute Resolution pursuant to 34 CFR 300.506; Ed 1122
  - Administrative Due Process Hearing Procedures pursuant to 34 CFR 300.507 – 300.518; Ed 1123
- Local Education Agency Request for Special Education Funds pursuant to Ed 1126.01

**Policies and Procedures**

Based on the review of the Kearsarge Regional School District’s policies and procedures manual, the NHDOE determined there were **no findings of noncompliance**.

**Effective Implementation of Practices**

As part of the review of district forms implementing the special education process and the student file review, the Bureau of Special Education also looked for evidence that the policies and procedures were effectively being implemented. The NHDOE determined that there were **three findings of noncompliance** that must be corrected as soon as possible but no later than 4 weeks from the date of the report.

The monitoring team reviewed the following district forms to ensure the implementation of the special education process:

- Record of Access pursuant to 34 CFR 300.614; Ed 1119.02(a)
- Notice of IEP Meeting pursuant to 34 CFR 300.322; Ed 1103.02(a)
- 10 Day Wavier pursuant to Ed 1103.02(b)
- Written Prior Notice pursuant to 34 CFR 300.503; Ed 1120.03(a)(b)
- Determining the Existence of a Specific Learning Disability pursuant to 34 CFR 300.309 & 300.311; Ed 1107.01(a)
- Evaluation Report pursuant to Ed 1107.05(a)
- Procedural Safeguard Notice pursuant to 34 CFR 300.504; Ed 1120.03(b)

1. When reviewing the district’s special education forms, the NHDOE discovered that the “Record of Access” form emphasizes the disclosure of information rather than the access of record by authorized employees.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
34 CFR 300.614 Ed 1190.02	Record of Access
<b>Corrective Action regarding the Implementation of the Regulations:</b> The Kearsarge School District must revise its Record of Access form to meet the criteria in 34 CFR 300.614. Provide the revised form that addresses the authorized employees and includes the name of the party, the date access was given and the purpose for which the party is authorized to use the record as soon as possible but no later than 4 weeks from the date of the report.	

2. When the monitoring team was verifying the evidence of compliance, the district was using an “Evaluation Summary Report” form. Although the form complied with Ed 1107.05(a) and (b)(1&2), it did not comply with Ed 1107.05(b)(3). The form does not provide information regarding the parent’s rights of appeal in accordance with Ed 1123 and a description of the parent’s right to an independent evaluation in accordance with Ed 1107.03.

Ed 1107.05(b)(3) states that the report shall include but not be limited to information regarding the parent’s rights of appeal in accordance with Ed 1123 and a description of the parent’s right to an independent evaluation in accordance with Ed 1107.03. While the procedural safeguards handbook may be made available via a local website and hard copy, this section of the evaluation report requires that the school district provide information in regards to parent’s rights of appeal in accordance with Ed 1123 and a *description* of the parent’s right to an independent evaluation on the form itself. This form does not provide either.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
Ed 1107.05(b)(3)	Evaluation Report
<b>Corrective Action regarding the Implementation of the Regulations:</b> The Kearsarge Regional School District must immediately notify staff to stop using the district created form “Evaluation Summary Report” and provide evidence of how the district is implementing Ed 1107.05(b)(3) as well as how school staff is informed of the new practice to the NHDOE as soon as possible but no later than 4 weeks from the date of the report.	

3. When reviewing the district’s special education forms, the NHDOE discovered that the “Written Prior Notice” did comply with Ed 1120.03(a) however, the form did not comply with CFR 300.503(b)(5) and Ed 1120.03(b). The district reports that it defers to the New Special Education Procedural Safeguards Handbook as evidenced by this statement on the form “The parents of a child with an educational disability have certain protections under the Procedural Safeguards of IDEA. They have received and/or been offered a copy of the Procedural Safeguards with this summary, and understand that additional copies can be obtained at the district’s Special Education Office. 34 CFR 300.503(b)(5) states that the content of the notice must include “sources for parents to contact to obtain assistance in understanding the provisions of this part.” The form does not provide sources for parents to contact to obtain assistance in understanding the provisions of the written prior notice.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
CFR 300.503(b)(5) Ed 1120.03(b)	Written Prior Notice
<b>Corrective Action regarding the Implementation of the Regulations:</b> The Kearsarge School District must revise its Written Prior Notice form to meet the criteria in CFR 300.503(b)(5); Ed 1120.03(b). Provide the revised form that addresses the sources for parents to contact to obtain assistance in understanding the provisions of this part as soon as possible but no later than 4 weeks from the date of the report.	

### **Recommendations to address problematic practices that do not represent noncompliance**

During the monitoring visit, it had been revealed that the district has been engaging in some practices that have the potential to become problematic. The NHDOE has identified these practices and potential remedies to these practices. Whereas these practices do not rise to the standard of noncompliance, and therefore require no corrective actions, the NHDOE believes that the practices are noteworthy to be addressed.

- When reviewing written prior notices, multiple actions were included on one form. Reviewers could not clearly distinguish the required components of the written prior notice for each action. Develop a district practice to complete a separate written prior notice for each action or clearly enumerate the components for each action on one form.
- When reviewing the district's special education forms, reviewers discovered that the district had a form "Parental Permission to Waive Time Limits." The district informed the NHDOE that this form is no longer being used, which was verified since the NHDOE did not discover this form in the files being reviewed. The district will remove this form from the district's template forms.
- The Evaluation Summary Report for the Kearsarge Regional School District lists the various categories in which assessments would be conducted. This form complies with Table 1100.1 Required Assessments and Qualified Examiners by Type of Disability as described in *New Hampshire Rules for the Education of Children with Disabilities*, with the exception of Health, Vision and Hearing assessments. These assessments are not clearly indicated on the Evaluation Summary Report as areas of assessment since there is a general statement labeled, "Medical and Physical Factors," on the form. It is also not indicated on the form that for some disability areas a hearing or vision screening is required. It is recommended that the Kearsarge Regional School District update the Evaluation Summary Report to include all areas of assessment based on Table 1100.1 of the *New Hampshire Rules for the Education of Children with Disabilities*.

## **Special Education Personnel**

The Bureau of Special Education has reviewed the Simonds Elementary School and Kearsarge Regional Middle School special education staff certifications using the New Hampshire Educator Information System (NHEIS). The review process was for special education educators employed during 2013-2014 school year.

The data for these schools was generated on April 29, 2014. At both schools each special education educator's endorsement was compared to the subject/assignment. This process was used for special educators who hold Education Intern License 4 (INT4), Beginning Educator Certification (BEC) and Experienced Educator Certification (EEC). If the endorsement was appropriate to the subject/assignment then the renewal date of the endorsement was verified to ensure that the endorsement was current.

If there was a discrepancy between endorsement and the subject/assignment, the district was given an opportunity to verify the data. If the discrepancy could not be resolved a finding of noncompliance was made based on Personnel Standards pursuant to Ed 1113.12, 34 CFR 300.18, and 34 CFR 300.156.

Based on the review of the special education staff certifications, the NHDOE determined there were **no findings of noncompliance**.

### **Monitoring of Special Education Process**

Districts are responsible for implementing the special education process in accordance with IDEA and the *New Hampshire Rules for the Education of Children with Disabilities*. The self-assessment data collection form highlights the district's understanding of the requirements of IDEA and the *New Hampshire Rules for the Education of Children with Disabilities* and was reviewed during the monitoring visit. Each area of compliance on the self-assessment data collection form clearly outlines whether the compliance is either a requirement of both IDEA and the *New Hampshire Rules for the Education of Children with Disabilities* or a requirement of solely the *New Hampshire Rules for the Education of Children with Disabilities*. During the monitoring visit, the monitoring team verified the evidence of compliance based on review of the student file, using the district's self-assessment as a resource.

Based on this review, the Bureau of Special Education identified findings of noncompliance with IDEA and the *New Hampshire Rules for the Education of Children with Disabilities*. The findings include the citation, the level of noncompliance, and the required corrective actions, which include timelines for demonstrating correction of noncompliance. Student specific information will not be included in the report but will be provided to the district's Special Education Director.

## Compliance Summary for Kearsarge Regional School District's two schools: Simonds Elementary School (SES) and Kearsarge Regional Middle School (KRMS)

For any area identified below as not meeting with compliance with rules and regulations, a finding of noncompliance is being identified. Required evidence to correct noncompliance is provided later in the document. For Simonds Elementary School and Kearsarge Regional Middle School, there are **13 findings of noncompliance**.

AREA OF COMPLIANCE	COMPLIANCE WITH RULES & REGULATIONS	INDIVIDUAL INSTANCES OF NONCOMPLIANCE	
		SES	KRMS
1. Record of Access; Confidentiality Requirements	Yes	0	0
2. Evaluation; Determination of Eligibility for Special Education	No	2	1
3. Written Prior Notice (Determination of Eligibility)	No	2	4
4. Individualized Education Program	No	0	2
5. IEP Team; Participants in the Special Education Process	No	0	1
6. Individualized Education Program (Present Levels of Academic Achievement and Functional Performance)	No	0	3
7. Procedures for Determining Eligibility and Educational Need	Yes	0	0
8. Consideration of Special Factors	No	0	1
9. Courses of Study	Yes	0	0
10. Measurable Annual Goals; Short-term Objectives or Benchmarks	No	1	4
11. Review and Revision of IEPs (Measuring Progress)	No	0	2
12. Accessibility of Child's IEP to Teachers and Others (General Accommodations and General Modifications)	No	0	1
13. Definition of Individualized Education Program (Special Education and Related Services, Supplementary Aids and Services, and Program Modifications or Supports for School Personnel)	No	1	0
14. Definition of Individualized Education Program (Justification for Non-Participation)	No	1	0
15. Definition of Individualized Education Program (State and District Wide Assessments)	Yes	0	0
16. Procedural Safeguards (Written Prior Notice for IEP)	No	1	8
17. Written Prior Notice (Placement)	No	0	9

## Findings of Noncompliance

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.614 Ed 1119.02(a)		1. Record of Access; Confidentiality Requirements
Self-Assessment Question Number	Regulatory Component	Review Status
1.	34 CFR 300.614 Ed 1119.02(a)	<b>4 out of 4</b> files demonstrated evidence of a record of parties that have obtained access to the education records collected, maintained or used under Part B of the Act.
COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.15 Ed 1107; Ed 1108		2. Evaluation; Determination of Eligibility for Special Education
Self-Assessment Question Number	Regulatory Component	Review Status
		<i>(4 files were reviewed for this area as the most current determination of eligibility for all students was completed at the Kearsarge Regional School District.)</i>
2.	34 CFR 300.306(a)(1) Ed 1108.01(a)	Upon completion of assessments, <b>4 out of 4</b> IEP files demonstrated evidence that a group of qualified professionals and the parent of the child determined whether the child is a child with a disability.
3.	<b>Ed 1108.01(b)(1)</b>	For determination of eligibility, <b>3 out of 4</b> IEP files demonstrated evidence that the composition of the IEP team also included a teacher certified in each area of suspected disability.
4.	Ed 1108.01(b)(2)	For determination of eligibility, <b>4 out of 4</b> IEP files demonstrated evidence that the composition of the IEP team also included an individual knowledgeable about the child as a result of having had personal contact with the child in the school or, if the child is below school age, at another setting.
5.	Ed 1107.04(b)	<b>4 out of 4</b> IEP files demonstrated evidence that qualified examiners for specific disabilities as set forth in Table 1100.1 completed the required assessments.
6.	<b>34 CFR 300.306(c)(1)(i)</b> <b>Ed 1108.01(a)</b>	<b>3 out of 4</b> IEP files demonstrated evidence that the team drew upon, carefully considered and documented information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior.
7.	Ed 1107.02(b)	For students identified with a specific learning disability <b>3 out of 3</b> IEP files demonstrated evidence that the determination was based on the district's specific learning disability policy.
8.	<b>34 CFR 300.304(c)(6)</b> <b>Ed 1108.01(a)</b>	<b>3 out of 4</b> IEP files demonstrated evidence that the evaluation was sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.
<b>Corrective Action of Individual Instance of Noncompliance:</b> For <u>student file H</u> , there was no evidence that the		

composition of the IEP team to determine eligibility also included a teacher certified in each area of suspected disability. For student file B, there was no evidence that the team drew upon, carefully considered and documented information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child’s physical condition, social or cultural background, and adaptive behavior. For student file B, there was no evidence that the evaluation was sufficiently comprehensive to identify all of the child’s special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

Within 45 days of the date of this report, the district must convene the IEP teams to review the identification of eligibility and include: a teacher certified in each area of suspected disability, documented information from a variety of sources, and sufficiently comprehensive evaluations must be reviewed. The NHDOE will verify this through a subsequent on-site review.

**Corrective Action regarding the Implementation of the Regulations:** Develop a procedure and provide training to appropriate staff to ensure that the composition of the IEP Team for eligibility includes a teacher certified in each area of suspected disability and documented information from a variety of sources are included in the evaluation process; and that the evaluations are sufficiently comprehensive. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.

The NHDOE will select 2 new student files (2 at KRMS) for updated data demonstrating compliance with this requirement and will verify that the composition of the IEP teams for determination of eligibility include a teacher certified in each area of suspected disability through a subsequent on-site review. The NHDOE will select 4 additional new student files (2 at SES, 2 at KRMS) for updated data demonstrating compliance with this requirement and will verify that documented information from a variety of sources and sufficiently comprehensive evaluations are reviewed through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.503 Ed 1120.03		3. Written Prior Notice (Determination of Eligibility)
<b>Self-Assessment Question Number</b>	<b>Regulatory Component</b>	<b>Review Status</b> <i>(4 files were reviewed for this area as the most current determination of eligibility for all students was completed at the Kearsarge Regional School District.)</i>
9.	Ed 1120.03(a)	<b>4 out of 4</b> IEP files demonstrated evidence that the parent(s) of a child with a disability were notified in writing within a reasonable time, but not less than 14 days, before the LEA proposed to initiate or change, or refused to initiate or change, the referral, evaluation, determination of eligibility, IEP, or educational placement of the child or the provision of FAPE to the child.
10.	34 CFR 300.503(b)(1) Ed 1120.03(b)	<b>4 out of 4</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of the action proposed or refused by the agency.
11.	34 CFR 300.503(b)(2) Ed 1120.03(b)	<b>4 out of 4</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included an explanation of why the agency proposed or refused to take the action.
<b>12.</b>	<b>34 CFR 300.503(b)(3) Ed 1120.03(b)</b>	<b>2 out of 4</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action.
13.	34 CFR 300.503(b)(4)	<b>4 out of 4</b> IEP files demonstrated evidence that the notice given

	Ed 1120.03(b)	to the parents of a child with a disability included a statement that says the parents of a child with a disability have protection under the procedural safeguards.
14.	34 CFR 300.503(b)(4) Ed 1120.03(b)	For notices not for an initial referral for evaluation, <b>2 out of 2</b> IEP files demonstrated evidence that the LEA notified the parents of a means by which a copy of the procedural safeguards can be obtained. <i>(2 student files were of students with initial evaluations.)</i>
15.	<b>34 CFR 300.503(b)(5)</b> <b>Ed 1120.03(b)</b>	<b>3 out of 4</b> IEP files lacked evidence that the notice given to the parents of a child with a disability included sources for the parents to contact to obtain assistance in understanding the provisions of the notice.
16.	<b>34 CFR 300.503(b)(6)</b> <b>Ed 1120.03(b)</b>	<b>3 out of 4</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other options that the IEP team considered and the reasons why those options were rejected.
17.	<b>34 CFR 300.503(b)(7)</b> <b>Ed 1120.03(b)</b>	<b>2 out of 4</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other factors that were relevant to the LEA's proposal or refusal.
18.	34 CFR 300.503(c)(1)(i) Ed 1120.03(b)	<b>4 out of 4</b> IEP files lacked evidence that the notice given to the parents of a child with a disability was written in language understandable to the general public.
19.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	<b>4 out of 4</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability was provided in the native language of the parent or other mode of communication used by the parent, unless it was clearly not feasible to do so.
<p><b>Corrective Action regarding the Implementation of the Regulations:</b> Ensure that the notification contains all elements required by regulations. Develop a procedure to address the requirements of the written prior notice components. Provide training to staff on completing the written prior notice in order for staff to appropriately document each component. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.</p> <p>The NHDOE will select 4 new student files (2 at SES, 2 at KRMS) for updated data demonstrating compliance with this requirement and will verify that the procedure for completing the written prior notices are implemented through a subsequent on-site review.</p>		
<b>COMPLIANCE CITATIONS</b>		<b>AREA OF COMPLIANCE</b>
34 CFR 300.323 Ed 1109		4. Individualized Education Program
<b>Self-Assessment Question Number</b>	<b>Regulatory Component</b>	<b>Review Status</b>
20.	Ed 1109.01(a)(5)	<b>5 out of 5</b> IEP files demonstrated evidence of the signature of the parent or, where appropriate, student, and a representative of the LEA indicating approval of the provisions of the IEP.
21.	<b>Ed 1109.04(a)</b>	<b>3 out of 5</b> IEP files demonstrated evidence that a copy of the IEP has been provided to each teacher and service provider listed as having responsibilities for implementing the IEP.
22.	34 CFR 300.323(c)(1) Ed 1109.03(a)	For an initial IEP, <b>2 out of 2</b> IEP files demonstrated evidence that there was a meeting to develop an IEP for the student conducted within 30 days of a determination that the child

		needs special education and related services. (3 student files were not of students with initial IEPs.)
23.	34 CFR 300.323(a) Ed 1109.03(1)	5 out of 5 IEP files demonstrated evidence that an IEP was in place at the beginning of the school year.
24.	Ed 1109.03(d)	4 out of 4 IEP files demonstrated evidence that the IEP was reviewed annually. (1 student file was of a student with an initial IEP.)
<p><b>Corrective Action of Individual Instance of Noncompliance:</b> For student files E &amp; F there was no evidence that a copy of the IEP has been provided to each teacher and service provider listed as having responsibilities for implementing the IEP.</p> <p>Within 45 days of the date of this report, the district must convene the IEP teams to review the IEPs and show evidence of parent and LEA approval of the provisions of the IEP. Within 3 weeks of the date of this report, the district must ensure that copies of the IEP have been provided to each teacher and service provider. The NHDOE will verify this through a subsequent on-site review.</p> <p><b>Corrective Action regarding the Implementation of the Regulations:</b> Develop procedures and provide trainings to appropriate staff for ensuring that copies of IEPs are provided to each teacher and service provider listed as having responsibilities for implementing the IEP. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.</p> <p>The NHDOE will select 2 additional new student files (2 at KRMS) for updated data demonstrating compliance with this requirement and will verify evidence that copies of IEPs are provided to each teacher and service provider listed as having responsibilities for implementing the IEP through a subsequent on-site review.</p>		
<b>COMPLIANCE CITATIONS</b>		<b>AREA OF COMPLIANCE</b>
34 CFR 300.321(a) Ed 1103.01		5. IEP Team; Participants in the Special Education Process
<b>Self-Assessment Question Number</b>	<b>Regulatory Component</b>	<b>Review Status</b>
25.	34 CFR 300.321(a)(1) Ed 1103.01(a)	5 out of 5 IEP files demonstrated evidence that the IEP Team included the parents of the child.
26.	<b>34 CFR 300.321(a)(2) Ed 1103.01(a)</b>	4 out of 5 IEP files demonstrated evidence that the IEP Team included at least one regular education teacher of the child.
27.	34 CFR 300.321(a)(3) Ed 1103.01(a)	5 out of 5 IEP files demonstrated evidence that the IEP Team included at least one special education teacher of the child, (or where appropriate), at least one special education provider of the child.
28.	34 CFR 300.321(a)(4) Ed 1103.01(a)	5 out of 5 IEP files demonstrated evidence that the IEP Team included an LEA representative.
29.	Ed 1103.01(c)	When vocational education was being considered, 2 out of 2 IEP files demonstrated evidence that the IEP team membership included an individual knowledgeable about the vocational education program being considered.
30.	Ed 1103.02(a)	5 out of 5 IEP files demonstrated evidence that at least a 10 day notice was given to the parent before an IEP meeting, which included the purpose, time, location and identification of the participants.
<p><b>Corrective Action of Individual Instance of Noncompliance:</b> For student file E, there was no evidence that the IEP Team included at least one regular education teacher of the child. Within 45 days of the date of this report, the district must convene the IEP teams to review the IEP and show evidence that the IEP Teams included at least one regular education teacher of the child.-The NHDOE will verify this through a subsequent on-site review.</p>		

**Corrective Action regarding the Implementation of the Regulations:** Develop procedures and provide trainings to appropriate staff for ensuring that the IEP Team includes at least one regular education teacher of the child. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.

The NHDOE will select 2 new students (2 at KRMS) for updated data demonstrating compliance with this requirement and will verify evidence of appropriate IEP Team participants (including at least one regular education teacher of the child) through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a); 34 CFR 300.324(a)(1) Ed 1109.01(a)(1); Ed 1109.03(h)		6. Individualized Education Program (Present Levels of Academic Achievement and Functional Performance)
Self-Assessment Question Number	Regulatory Component	Review Status
31.	34 CFR 300.324(a)(1)(i) Ed 1109.03(h)	<b>5 out of 5</b> IEPs demonstrated evidence of a statement of the child's strengths.
<b>32.</b>	<b>34 CFR 300.324(a)(1)(iv) Ed 1109.03(h)</b>	<b>4 out of 5</b> IEPs demonstrated evidence of a statement of the child's academic, developmental, and functional needs.
33.	34 CFR 300.324(a)(1)(ii) Ed 1109.03(h)	<b>5 out of 5</b> IEPs demonstrated evidence of a statement of the parent's concerns for improving the student's education in the IEP.
<b>34.</b>	<b>34 CFR 300.324(a)(1)(iii) Ed 1109.03(h)</b>	<b>4 out of 5</b> IEPs demonstrated evidence that the results of initial or most recent evaluations of the child were included in the IEP.
35.	34 CFR 300.320(a)(1)(i) Ed 1109.01(a)(1)	<b>5 out of 5</b> IEPs demonstrated evidence of a statement in the IEP that describes how the student's disability affects the student's involvement and progress in the general education curriculum.
<b>36.</b>	<b>34 CFR 300.320(a)(4)(ii) Ed 1109.01(a)(1)</b>	<b>4 out of 5</b> IEPs demonstrated evidence of a statement that describes how the student's disability affects non-academic areas.
37.	34 CFR 300.320(a)(1)(ii) Ed 1109.01(a)(1)	For preschool children, as appropriate, <b>1 out of 1</b> IEP demonstrated evidence of a statement in the IEP that describes how the disability affects the child's participation in appropriate activities.
<p><b>Corrective Action of Individual Instance of Noncompliance:</b> For <u>student file E</u>, there was no evidence of a statement of the child's academic, developmental, and functional needs. For <u>student file E</u>, there was no evidence that the results of initial or most recent evaluations of the child were included in the IEP. For <u>student file E</u>, there was no evidence of a statement that describes how the student's disability affects non-academic areas.</p> <p>Within 45 days of the date of this report, the district must amend the IEP to include all required components of the present levels of academic achievement and functional performance. The NHDOE will verify this through a subsequent on-site review.</p>		
<p><b>Corrective Action regarding the Implementation of the Regulations:</b> Develop a procedure and provide training to appropriate staff to include a statement in the IEP of the academic, developmental, and functional needs; the results of initial or most recent evaluations; and how the student's disability affects non-academic areas. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.</p> <p>The NHDOE will select 2 new student files (2 at KRMS) for updated data demonstrating compliance with this requirement and will verify the evidence through a subsequent on-site review.</p>		
COMPLIANCE CITATIONS		AREA OF COMPLIANCE

34 CFR 300.306(c)(1)(i) Ed 1108.01(a)		7. Procedures for Determining Eligibility and Educational Need
Self-Assessment Question Number	Regulatory Component	Review Status
38.	34 CFR 300.306(c)(1)(i) Ed 1108.01(a)	<b>5 out of 5</b> IEPs demonstrated evidence that a variety of sources were used for decision-making when developing the IEP including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior.
COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.324(a)(2) Ed 1109.03(h)		8. Consideration of Special Factors
Self-Assessment Question Number	Regulatory Component	Review Status
39.	34 CFR 300.324(a)(2)(i) Ed 1109.03(h)	When a child's behavior impedes the child's learning or that of others <b>4 out of 4</b> IEPs demonstrated evidence that the IEP team considered the use of positive behavioral interventions and supports, and other strategies, to address that behavior. <i>(From the files reviewed, the IEP Team determined that the behavior of 1 child does not impede learning.)</i>
40.	34 CFR 300.324(a)(2)(ii) Ed 1109.03(h)	When a child demonstrates limited English proficiency, <b>1 out of 1</b> IEP demonstrated evidence that the IEP Team considered the language needs of the child as those needs relate to the child's IEP. <i>(4 children did not demonstrate limited English proficiency from the files reviewed.)</i>
41.	34 CFR 300.324(a)(2)(iii) Ed 1109.03(h)	When a child is blind or visually impaired <b>1 out of 1</b> IEP demonstrated evidence that the IEP Team provided for instruction in Braille and the use of Braille unless the IEP Team determined, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille was not appropriate for the child. <i>(4 children were not blind or visually impaired from the files reviewed.)</i>
42.	34 CFR 300.324(a)(2)(iv) Ed 1109.03(h)	<b>5 out of 5</b> IEPs demonstrated evidence that the IEP Team considered the communication needs of the child.
43.	34 CFR 300.324(a)(2)(iv) Ed 1109.03(h)	When a child is deaf or hard of hearing, <b>1 out of 1</b> IEP demonstrated evidence that the IEP Team considered the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode. <i>(4 children were not deaf or hard of hearing from the files reviewed.)</i>
44.	<b>34 CFR 300.324(a)(2)(v) Ed 1109.03(h)</b>	<b>4 out of 5</b> IEPs demonstrated evidence that the IEP Team considered whether the child needed assistive technology devices and services.

**Corrective Action of Individual Instance of Noncompliance:**-For student file F, there was no evidence that the IEP Team considered whether the child needed assistive technology devices and services.

Within 45 days of the date of this report, the district must amend the IEP to include evidence that that the IEP team considered this special factor. The NHDOE will verify this through a subsequent on-site review.

**Corrective Action regarding the Implementation of the Regulations:** Develop a procedure and provide training to appropriate staff to consider whether the child needed assistive technology devices and services. Provide a brief description of the training including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.

The NHDOE will select 2 new student files (2 at KRMS) for updated data demonstrating compliance with this requirement and will verify the evidence that that the IEP team considered these special factors through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
Ed 1109.01(a)(10)		9. Courses of Study
Self-Assessment Question Number	Regulatory Component	Review Status
45.	Ed 1109.01(a)(10)	For each student with a disability beginning at age 14 or younger, if determined appropriate by the IEP team <b>2 out of 2</b> IEPs demonstrated evidence of a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study such as participation in advanced-placement courses or a vocational education.
COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(2)(i) Ed 1109.01(a)		10. Measurable Annual Goals; Short-term Objectives or Benchmarks
Self-Assessment Question Number	Regulatory Component	Review Status
46.	<b>34 CFR 300.320(a)(2)(i)</b> <b>Ed 1109.01(a)(1)</b>	<b>3 out of 5</b> IEPs demonstrated evidence of a statement of measurable annual goals, including academic and functional goals.
47.	<b>34 CFR 300.320(a)(2)(i)(A)</b> <b>Ed 1109.01(a)(1)</b>	<b>4 out of 5</b> IEPs demonstrated evidence that the measurable annual goals meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum.
48.	34 CFR 300.320(a)(2)(i)(B) Ed 1109.01(a)(1)	If there are other educational needs that result from the child's disability, <b>4 out of 4</b> IEPs demonstrated evidence that the measurable annual goals meet each of the child's other educational needs.
49.	<b>Ed 1109.01(a)(6)</b>	<b>3 out of 5</b> IEPs demonstrated evidence of short-term objectives or benchmarks for all children unless the parent determines them unnecessary for all or some of the child's annual goals.
<p><b>Corrective Action of Individual Instance of Noncompliance:</b> For <u>student files E &amp; F</u>, there was no evidence of a statement of measurable annual goals. For <u>student file E</u>, there was no evidence that the measurable annual goals meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum. For <u>student files A &amp; E</u>, there was no evidence of short-term objectives or benchmarks for all children unless the parent determines them unnecessary for all or some of the child's annual goals.</p>		

Within 45 days of the date of this report, the district must amend the IEPs to include measurable annual goals; measurable goals that meet the child's needs that result from the child's disability; and short-term objectives or benchmarks for all children unless the parent determines them unnecessary for all or some of the child's annual goals. The NHDOE will verify this through a subsequent on-site review.

**Corrective Action regarding the Implementation of the Regulations:** Develop a procedure and provide training to appropriate staff in writing measurable annual goals; in including measurable annual goals that meet the child's needs that result from the child's disability; and including short-term objectives or benchmarks for all children unless the parent determines them unnecessary for all or some of the child's annual goals. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.

The NHDOE will select 4 new student files (2 at SES, 2 at KRMS) for updated data demonstrating compliance with this requirement and will verify the evidence of a statement of measurable annual goals; measurable goals that meet the child's needs that result from the child's disability; and short-term objectives or benchmarks unless the parent determines them unnecessary for all or some of the child's annual goals through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.324(b)(1)(ii) Ed 1109.01(a); Ed 1109.03(h)		11. Review and Revision of IEPs (Measuring Progress)
Self-Assessment Question Number	Regulatory Component	Review Status
50.	Ed 1109.01(a)(9)	<b>5 out of 5</b> IEPs demonstrated evidence that the IEP includes a statement of how the child's progress toward meeting the annual goals will be measured.
<b>51.</b>	<b>Ed 1109.01(a)(9)</b>	<b>3 out of 5</b> IEPs demonstrated evidence that the IEP includes a statement whether progress is sufficient to achieve the annual goals by the end of the school year.
52.	Ed 1109.01(a)(8)	<b>5 out of 5</b> IEPs demonstrated evidence that the IEP includes a statement of how the child's progress toward meeting the annual goals shall be provided to the parents.
53.	34 CFR 300.324(b)(1)(ii) Ed 1109.03(h)	<b>2 out of 2</b> IEPs demonstrated evidence that the IEP has been reviewed and revised, as appropriate. <i>(For 3 student files, review and revision of the IEP was not determined appropriate.)</i>

**Corrective Action of Individual Instance of Noncompliance:** For student files E & F, there was no evidence that the IEP included a statement whether progress is sufficient to achieve the annual goals by the end of the school year. (A statement indicating that each goal will be met by the end of the school year or by the end of the IEP period was not included.)

Within 45 days of the date of this report, the district must amend the IEPs to include a statement whether progress is sufficient to achieve the annual goals by the end of the school year. The NHDOE will verify this through a subsequent on-site review.

**Corrective Action regarding the Implementation of the Regulations:** Develop a procedure and provide training to appropriate staff to include statements whether progress is sufficient to achieve the annual goals by the end of the school year. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.

The NHDOE will select 2 new student files (2 at KRMS) for updated data demonstrating compliance with this requirement and will verify the evidence that the IEPs include a statement whether progress is sufficient to achieve the annual goals by the end of the school year, through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.323(d)(2)(ii) Ed 1102; Ed 1109.03(a)		12. Accessibility of Child's IEP to Teachers and Others (General Accommodations and General Modifications)
Self-Assessment Question Number	Regulatory Component	Review Status
54.	34 CFR 300.323(d)(2)(ii) Ed 1109.03(a)	4 out of 5 IEPs demonstrated evidence that each teacher and provider has been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.
55.	Ed 1102.01(b)	When accommodations are included, 5 out of 5 IEPs demonstrated evidence that the accommodations are changes in instruction or evaluation determined necessary by the IEP team that do not impact the rigor and/or validity of the subject matter being taught or assessed.
56.	Ed 1102.03(v)	When modifications are included, 3 out of 3 IEPs demonstrated evidence that the modifications are changes in instruction or evaluation determined necessary by the IEP team that impacts the rigor and validity or rigor or validity, of the subject matter being taught or assessed. (For 2 student files, modifications were not included in the IEP.)
<p><b>Corrective Action of Individual Instance of Noncompliance:</b> For <u>student file E</u>, there was no evidence that each teacher and provider had been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.</p> <p>Within 3 weeks of the date of this report, the district must ensure that there is evidence that each teacher and provider has been informed of the specific accommodations, modifications, and supports in accordance with the IEP. The NHDOE will verify this through a subsequent on-site review.</p> <p><b>Corrective Action regarding the Implementation of the Regulations:</b> Develop a procedure and provide training to appropriate staff for ensuring that each teacher and provider has been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.</p> <p>The NHDOE will select 2 new student files (2 at KRMS) for updated data demonstrating compliance with this requirement and will verify the evidence that each teacher and provider had been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP through a subsequent on-site review.</p>		
COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a) Ed 1109.01(a)(1); 1109.04(b)		13. Definition of Individualized Education Program (Special Education and Related Services, Supplementary Aids and Services, and Program Modifications or Supports for School Personnel)
Self-Assessment Question Number	Regulatory Component	Review Status
57(a).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	5 out of 5 IEPs demonstrated evidence of a statement of special education.
57(b).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	3 out of 3 IEPs demonstrated evidence of a statement of related services. (2 student files were of students where the IEP Team did not determine that related services were necessary.)

57(c).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	<b>2 out of 2</b> IEPs demonstrated evidence of a statement of supplementary aids and services. <i>(3 student files were of students where the IEP Team did not determine that supplementary aids and services were necessary.)</i>
57(d).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	<b>3 out of 3</b> IEPs demonstrated evidence of a statement of the program modifications or supports for school personnel. <i>(2 student files were of students where the IEP Team did not determine that program modifications or supports for school personnel were necessary.)</i>
58.	34 CFR 300.320(a)(7) Ed 1109.01(a)(1)	<b>5 out of 5</b> IEPs demonstrated evidence of a projected date for the beginning of the services and modifications described in the supports and services section of the IEP.
59.	34 CFR 300.320(a)(7) Ed 1109.01(a)(1)	<b>5 out of 5</b> IEPs demonstrated evidence of the anticipated frequency, location, and duration of those services and modifications described in the supports and services section of the IEP.
60.	Ed 1109.04(b)(1)	<b>5 out of 5</b> IEP files demonstrated written evidence documenting implementation of the IEP with regards to all special education and related services provided.
61.	Ed 1109.04(b)(2)	<b>3 out of 3</b> IEP files demonstrated written evidence documenting implementation of the IEP with regards to any supplementary aids and services provided. <i>(2 files were not applicable in this area.)</i>
62.	Ed 1109.04(b)(3)	<b>2 out of 2</b> IEP files demonstrated written evidence documenting implementation of the IEP with regards to program modifications made. <i>(3 files were not applicable in this area.)</i>
<b>63.</b>	<b>Ed 1109.04(b)(4)</b>	<b>3 out of 4</b> IEP files demonstrated written evidence documenting implementation of the IEP with regards to supports provided for school personnel implementing the IEP. <i>(1 file was not applicable in this area.)</i>
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student file A</u>, there was no written evidence documenting implementation of the IEP with regards to supports provided for school personnel implementing the IEP.</p> <p>Within 45 days of the date of this report, the district must ensure that there is written evidence documenting implementation of the IEP with regards to supports provided for school personnel implementing the IEP. The NHDOE will verify this through a subsequent on-site review.</p> <p><b>Corrective Action regarding the Implementation of the Regulations:</b> Develop a procedure and provide training to appropriate staff for ensuring that there is written evidence documenting implementation of the IEP with regards to supports provided for school personnel implementing the IEP. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.</p> <p>The NHDOE will select 2 additional student files (2 at SES) for updated data ensuring that there is written evidence documenting implementation of the IEP with regards supports provided for school personnel implementing the IEP.</p>		
<b>COMPLIANCE CITATIONS</b>		<b>AREA OF COMPLIANCE</b>
34 CFR 300.320(a)(5) Ed 1109.01(a)(1)		14. Definition of Individualized Education Program (Justification for Non-Participation)
<b>Self-Assessment</b>	<b>Regulatory Component</b>	<b>Review Status</b>

<b>Question Number</b>		
64.	<b>34 CFR 300.320(a)(5) Ed 1109.01(a)(1)</b>	<b>4 out of 5</b> IEP demonstrated evidence of an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in the supports and services section of the IEP.
<b>Corrective Action of Individual Instance of Noncompliance:</b> For <u>student file A</u> , there was no evidence of an explanation of the extent, if any, to which the child did not participate with nondisabled children in the regular class and in the activities described in the supports and services section of the IEP.		
Within 45 days of the date of this report, the district must amend the IEP to include the explanation. The NHDOE will verify this through a subsequent on-site review.		
<b>Corrective Action regarding the Implementation of the Regulations:</b> Develop a procedure and provide training to appropriate staff to address this area. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.		
The NHDOE will select 2 student files (2 at SES) for updated data demonstrating compliance with this requirement and will verify the evidence through a subsequent on-site review.		
<b>COMPLIANCE CITATIONS</b>		<b>AREA OF COMPLIANCE</b>
34 CFR 300.320(a)(6) Ed 1109.01(a)(1)		15. Definition of Individualized Education Program (State and District Wide Assessments)
<b>Self-Assessment Question Number</b>	<b>Regulatory Component</b>	<b>Review Status</b>
65.	34 CFR 300.320(a)(6)(i) Ed 1109.01(a)(1)	<b>5 out of 5</b> IEPs demonstrated evidence of a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments.
66.	34 CFR 300.320(a)(6)(ii)(A) Ed 1109.01(a)(1)	When the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or district wide assessment of student achievement, <b>3 out of 3</b> IEPs demonstrated evidence of a statement of why the child cannot participate in the regular assessment.
67.	34 CFR 300.320(a)(6)(ii)(B) Ed 1109.01(a)(1)	When the child is taking an alternate assessment, <b>3 out of 3</b> IEPs demonstrated evidence describing why the particular alternate assessment selected is appropriate for the child.
<b>COMPLIANCE CITATIONS</b>		<b>AREA OF COMPLIANCE</b>
34 CFR 300.121 Ed 1120.03		16. Procedural Safeguards (Written Prior Notice for IEP)
<b>Self-Assessment Question Number</b>	<b>Regulatory Component</b>	<b>Review Status</b>
68.	<b>Ed 1120.03(a)</b>	<b>4 out of 5</b> IEP files demonstrated evidence that the parent(s) of a child with a disability were notified in writing within a reasonable time, but not less than 14 days, before the LEA proposed to initiate or change, or refused to initiate or change, the referral, evaluation, determination of eligibility, IEP, or educational placement of the child or the provision of FAPE to the child.
69.	34 CFR 300.503(b)(1) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description

		of the action proposed or refused by the agency.
70.	34 CFR 300.503(b)(2) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included an explanation of why the agency proposed or refused to take the action.
<b>71.</b>	<b>34 CFR 300.503(b)(3)</b> <b>Ed 1120.03(b)</b>	<b>1 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action.
72.	34 CFR 300.503(b)(4) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a statement that says the parents of a child with a disability have protection under the procedural safeguards.
73.	34 CFR 300.503(b)(4) Ed 1120.03(b);	For notices not for an initial referral for evaluation, <b>5 out of 5</b> IEP files demonstrated evidence that the LEA notified the parents of a means by which a copy of the procedural safeguards can be obtained.
74.	34 CFR 300.503(b)(5) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included sources for the parents to contact to obtain assistance in understanding the provisions of the notice.
75.	34 CFR 300.503(b)(6) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other options that the IEP team considered and the reasons why those options were rejected.
<b>76.</b>	<b>34 CFR 300.503(b)(7)</b> <b>Ed 1120.03(b)</b>	<b>1 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other factors that were relevant to the LEA's proposal or refusal
77.	34 CFR 300.503(c)(1)(i) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability was written in language understandable to the general public.
78.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability was provided in the native language of the parent or other mode of communication used by the parent, unless it was clearly not feasible to do so.
79.	34 CFR 300.504(a) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that a copy of the procedural safeguards, available to the parents of a child with a disability, was given to the parent one time in the school year.
<p><b>Corrective Action regarding the Implementation of the Regulations:</b> Develop a procedure that identifies for parent(s) the reasonable time (not less than 14 days) to receive notification in writing of the district's action, and provide training to appropriate staff. (Please note that parental consent cannot be obtained without the requisite prior written notice.) Ensure that the notification contains all elements required by regulations. Develop a procedure to address the requirements of the written prior notice components. Provide training to staff on completing the prior written notice. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.</p> <p>The NHDOE will select 5 student files (2 at SES, 3 at KRMS) for updated data demonstrating compliance with this requirement and will verify that the procedure for identifying for parents(s) the reasonable time to receive notification has been developed and that the written prior notices are complete a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action; and a</p>		

description of other factors through a subsequent on-site review.		
COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.503 Ed 1120.03		17. Written Prior Notice (Placement)
Self-Assessment Question Number	Regulatory Component	Review Status
80.	Ed 1120.03(a)	<b>5 out of 5</b> IEP files demonstrated evidence that the parent(s) of a child with a disability were notified in writing within a reasonable time, but not less than 14 days, before the LEA proposed to initiate or change, or refused to initiate or change, the referral, evaluation, determination of eligibility, IEP, or educational placement of the child or the provision of FAPE to the child.
81.	34 CFR 300.503(b)(1) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of the action proposed or refused by the agency.
82.	34 CFR 300.503(b)(2) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included an explanation of why the agency proposed or refused to take the action.
<b>83.</b>	<b>34 CFR 300.503(b)(3) Ed 1120.03(b)</b>	<b>2 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action.
84.	34 CFR 300.503(b)(4) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a statement that says the parents of a child with a disability have protection under the procedural safeguards.
85.	34 CFR 300.503(b)(4) Ed 1120.03(b)	For notices not for an initial referral for evaluation, <b>5 out of 5</b> IEP files demonstrated evidence that the LEA notified the parents of a means by which a copy of the procedural safeguards can be obtained.
86.	34 CFR 300.503(b)(5) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included sources for the parents to contact to obtain assistance in understanding the provisions of the notice.
<b>87.</b>	<b>34 CFR 300.503(b)(6) Ed 1120.03(b)</b>	<b>3 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other options that the IEP team considered and the reasons why those options were rejected.
<b>88.</b>	<b>34 CFR 300.503(b)(7) Ed 1120.03(b)</b>	<b>1 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other factors that were relevant to the LEA's proposal or refusal.
89.	34 CFR 300.503(c)(1)(i) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability was written in language understandable to the general public.
90.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	<b>5 out of 5</b> IEP files demonstrated evidence that the notice given to the parents of a child with a disability was provided in the native language of the parent or other mode of communication

used by the parent, unless it was clearly not feasible to do so.

**Corrective Action regarding the Implementation of the Regulations:** Ensure that the notification contains all elements required by regulations. Develop a procedure to address the requirements of the written prior notice components. Provide training to staff on completing the written prior notice in order for staff to appropriately document each component. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE by September 30, 2014.

The NHDOE will select 3 student files (3 at KRMS) for updated data demonstrating compliance with this requirement and will verify that that the written prior notices are complete including a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action; and a description of other options through a subsequent on-site review.