

**New Hampshire  
Department of Education  
Bureau of Special Education  
Monitoring Review for Approval of  
Private Provider Special Education  
Programs**

**Learning Skills Academy  
Summary Report  
2015-2016**

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Monitoring Visit Conducted on February 9, 2016  
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## **Overview of the Learning Skills Academy Program**

The Learning Skills Academy is a New Hampshire Department of Education, Bureau of Special Education Approved Program located in Rye, New Hampshire. The school year and summer programs are approved for grades three through twelve for up to fifty-two students (both in state and out of state students) who have a primary disability in the areas of Other Health Impairments, Specific Learning Disabilities, and Speech Language Impairments.

Learning Skills Academy's mission is "To ignite the educational potential of students with language and learning differences so that they may succeed in school, college and career".

The program philosophy is "dedicated to the education of students in grades three through twelve, who have been less than successful in traditional education environments. Learning Skills Academy specializes in educational services for the student with a language-based learning disability." The program has also found that this model of services may work well for student with speech and language or other health impairments. Additionally, students with an identification of a nonverbal learning disability are also considered for admission to the program. Many of the students have difficulty with organizational skills and diminished motivation to learn. "Learning differences may contribute to an experience of failure and frustration with basic academic tasks. Students may be distractible, have difficulty maintaining attention, and tend to exhibit problems with study skills, all of which impact success in academic settings."

The Learning Skills Academy accepts males and females in grades three through twelve with primary disabilities in Specific Learning Disabilities, Other Health Impairments and/or Speech Language Impairments. Most students exhibit expressive/receptive language – based learning disabilities.

The Learning Skills Academy's handbook emphasizes a student centered approach that has its roots in a Language-Based integrated curriculum throughout all of the grade levels, and identifies four goals for students. To achieve academic success, to demonstrate behavior appropriate to different situations; to understand their learning style; and to learn to advocate for themselves.

In addition, it is the belief of the program that "Each student comes with interest and needs, and at Learning Skills Academy, that is key. Being unique is something we celebrate every day, in many ways. What students here have in common is their desire to be successful. They want to do well in school and life; they want to have friends and to be respected. Our teachers know this, so if something goes wrong we look first not at the student, but at the student's Learning Skills Academy experience. We ask ourselves if each student is getting what is needed. This in turn means our students bear a lot of responsibility: to do their work, to be respectful, to always try."

## **Noteworthy Practices and Areas in Need of Refinement**

### **Noteworthy Practices**

During the monitoring visit, it had been revealed that the Learning Skills Academy includes several practices in their teaching, lessons, and expectations which are noteworthy. Such practices include:

- A program wide philosophical belief that students need to be treated with dignity and respect while maintain the overall safety of the school community
- The use of an integrated curriculum where all classes are discussing a similar topic, or theme related topic in different ways
- A multi-modal approach to learning for all students
- Integration of students' personal technology devices throughout the day
- Opportunities for students to learn and grow from their mistakes
- The use of a language based approach to lessons and learning
- Multiple Speech Language Pathologists to help support the language based practices in all classes
- An Upper school in a different building for students in grades 9 through 12, and a Lower school for students in grades 3 through 8
- Staff members with multiple certifications
- The integration of Physical Education, Health Education and a social thinking curriculum through Adventurelore with trained counselors
- Behavior is managed through a modified version of Take Charge© where students learn to self-monitor, and practice controlling impulsivity, compare their actions to the rules, and “take charge” of themselves.
- A sense of community amongst the students, staff, and parents which is fostered by Learning Skills Academy's commitment to promote frequent communication; both written and verbal.

## Areas in Need of Refinement

During the monitoring visit, it had been revealed that the Learning Skills Academy had one area in need of refinement. The NHDOE identified these areas, and potential remedies. Whereas these practices do not rise to the standard of noncompliance, and therefore require no corrective actions, the NHDOE believes that the areas in need of refinement are noteworthy to be addressed.

- Learning Skills Academy should revise its Record of Access form to reflect the specific language from the regulations to include the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. (*Ed 1119 Confidentiality of Information and 34 CFR 300.614 Record of Access*)

## Overview of the Monitoring Review for Approval of Special Education Programs Process

The Special Education Monitoring Review for Approval of Private Provider Special Education Programs process ensures that students with educational disabilities have access to; can participate in; and can demonstrate progress within the general education curriculum, thereby improving student learning. The primary focus of the monitoring review is to improve educational results and functional outcomes for all children with disabilities.

Monitoring is done on a cyclical basis. During the first year, the New Hampshire Department of Education (NHDOE), Bureau of Special Education (Bureau) offers training to each private provider who is involved in the monitoring process. Training encompasses writing Measurable Annual Goals, Written Prior Notice, Self-Assessment, and a topic selected by the private provider based on current need. During this time, the private provider will be given the option to include a director from outside of their Local Education Agency (LEA) area to participate in the on-site file review, as well as at least one special education administrator from another private school who has been trained in the process by the Bureau. At the beginning of the second year, the private provider will send the Bureau their completed application for renewal of Bureau special education approval/nonpublic school approval in addition to the program's policy and procedure manual and any special education forms that are used by the private program. Following a review of these documents, the monitoring team will conduct an on-site review in which student files are examined for evidence of implementation of the policies and procedures through the special education process. In the third year, the Bureau will conduct a follow-up review to verify the implementation of corrective actions as defined in the summary report.

The New Hampshire Department of Education, Bureau of Special Education review members for this monitoring review included, Lori Noordergraaf, Amy Jenks, and Janelle Cotnoir. The special education administrator participating in this monitoring review was Nancy Pierce , Special Education Administrator from Granite Hill School.

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

Each private provider 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*.

The monitoring team reviewed the following policies and procedures for compliance with State and Federal regulations regarding administration, confidentiality of information, program requirements, responsibilities of private providers of special education implementation of IEPs, behavioral interventions, RSA 126-U Limiting the use of child restraint practices in schools and treatment centers, qualifications and requirements for instructional, administrative and support personnel, change in placement or termination of enrollment, physical facilities, health and medical care, photography and audio-visual recording, and emergency planning and preparedness.

Based on the review of the Learning Skills Academy policies and procedures manual, the monitoring team determined there were **no findings of noncompliance**.

### **Private Provider Curriculum and Effective Implementation**

As part of the review, the monitoring team looked for evidence that the Learning Skills Academy is providing students with access to the general curriculum. The monitoring team reviewed the grades 3 through 12 curriculum provided by Learning Skills Academy for compliance with learning areas in Arts Education; English/Language Arts; Health Education; Physical Education; Family & Consumer Science; Information & Communications Technologies; Mathematics; Science; Social Studies; and Technology/Pre-engineering Education; Business Education; Career & Technical Education; Career Education; World Languages; pursuant to Ed 306.261 (b)(1) & (2) {Kindergarten – Grade 8}, and Ed 306.27 (c) {High School}.

Based on the review of the Learning Skills Academy's curriculum, the monitoring team determined that there were **no findings of noncompliance**.

## Personnel

Personnel at the Learning Skills Academy include an Executive Director, an Education Director, a Student Services Coordinator, and a Special Education Program Assistant. At Learning Skills Academy there are twenty-nine certified staff; most of whom have multiple certifications. Learning Skills Academy has nineteen certified classroom teachers, fourteen Special Education teachers, an Occupational Therapist, five Speech Language Pathologists, three staff certified in First Aide & CPR, and a School Counselor. There are eight consultants that provide support to Learning Skills Academy staff in regards to specific curricula areas.

The Bureau of Special Education has reviewed the Learning Skills Academy personnel certifications using the New Hampshire Educator Information System. The review process was for educators employed during 2015-2016 school year.

The personnel roster that was provided by the Learning Skills Academy was compared to the data in the New Hampshire Educator Information System. Each personnel member's endorsement was compared to the subject/assignment. This process was used for personnel that hold 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 private provider 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 1114.10(a), 34 CFR 300.18, and 34 CFR 300.156.

Based on the review of the Learning Skills Academy's personnel certifications, the monitoring team determined there were **no findings of noncompliance**.

## Monitoring of the Implementation of Special Education Process

Private providers 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 private providers' 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*. The private provider cites the evidence of compliance in the self-assessment prior to the monitoring visit. During the monitoring visit, the monitoring team verified the evidence of compliance based on review of the student file, using the private providers' self-assessment as a resource. In the case of student

specific finding(s) of noncompliance, the sending District is cited for noncompliance, as well as the private provider.

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 area 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 private provider and, when appropriate, a district's Director of Special Education.

There are two main components to the corrective actions entitled, "*Corrective Action of Individual Instance of Noncompliance*" and "*Corrective Action Regarding the Implementation of the Regulations*". The first component, "corrective action of individual instance of noncompliance," is for any noncompliance concerning a child-specific requirement. There must be evidence that the private provider has corrected each individual case of noncompliance, unless the child is no longer placed at the program. These areas must be corrected as soon as possible with state timelines given in the report for each area. The Bureau will return to the program, typically within 3 months of the date of the report, to verify compliance for each individual instance identified in the report. The second component, "corrective action regarding the implementation of the regulations" would typically involve the private provider's participating in professional development training to appropriate personnel with regards to areas found to be in noncompliance. The Bureau will review updated data collected after the identification of noncompliance to demonstrate that the program is correctly implementing the specific requirement. This involves a follow-up on-site review of new student files, selected typically within one year of the original on-site compliance & improvement monitoring.

### **Overview of the Student Specific Findings of Noncompliance**

The chart below identifies the area of compliance based on student files that were reviewed by the compliance & improvement monitoring team during the onsite visit. The chart is broken down into the **compliance citations** and **area of compliance**. The compliance citations are based on the *CFR* found in the federal regulations of IDEA and the *Ed* found in the *New Hampshire Rules for the Education of Children with Disabilities*. The chart aligns the regulatory components to the numbered questions in the self-assessment. Regulatory components and self-assessment numbers are bolded in instances where noncompliance was noted by the compliance & improvement monitoring team.

The **review status** identifies the **number of files reviewed** for the self-assessment question as well as the number of files that were found to be in compliance. For example "2 out of 2 files demonstrated a record of parties that have obtained access to the education records collected or used under Part B of the Act." This means that 2 files were reviewed and 2 files were found to be in compliance.

In cases where there was a finding of noncompliance for a particular student, the chart identifies the **First Stage Corrective Action of Individual Instance(s) of Noncompliance**. In the case of an individual instance of noncompliance, the corrective action would generally involve the IEP team convening to resolve the finding of noncompliance. Timelines for these corrective actions are also noted. For the First Stage Corrective Actions, the Bureau will return to the private provider program within 3 months following the program receiving written notification of noncompliance (the report) to review all student files in which there were findings of noncompliance in order to verify compliance with the corrective action stated in the report.

In cases where there was a finding of noncompliance for a particular student, the next section of the chart identifies the **First Stage Corrective Action Regarding the Implementation of the Regulation**. This section informs the private provider program of any practices or procedures which need to be corrected as well as trainings for personnel to inform them of the corrections as a result of the findings of noncompliance. The required corrective action for the program and a timeline for the corrective action is also provided.

In cases where there was a finding of noncompliance for a particular student, the final section of the chart identifies the **Second Stage Corrective Action Regarding the Implementation of the Regulation**. Identified in this section will be the number of new student files that will be selected at the program to demonstrate correct implementation of the regulations for the section of the self-assessment in which noncompliance was found. For the Second Stage Corrective Actions, the Bureau will verify compliance through a subsequent on-site review of the new files within one year from the date of the report. **The total number of student files selected for the Second Stage Corrective Action Regarding the Implementation of the Regulation will not exceed the original number of files reviewed at the private provider program.**

## Findings of Noncompliance

At the Learning Skills Academy program, the monitoring team reviewed two student files for 54 specific components each. Out of those two student files reviewed, the Learning Skills Academy had **four findings of noncompliance**, which are detailed in the charts below.

| COMPLIANCE CITATIONS            |                      | AREA OF COMPLIANCE   |
|---------------------------------|----------------------|--|
| Ed 1114.03                      |                      | A. Governance  |
| Self-Assessment Question Number | Regulatory Component | Review Status  |
| 1.                              | Ed 1114.03(a)        | <b>2 out of 2</b> IEPs demonstrated evidence that the private provider has provided students with disabilities all services detailed in their IEPs unless the provision of those services has been agreed upon by contract with the sending LEA. |
| 2.                              | Ed 1114.03(d)        | <b>2 of out of 2</b> IEPs demonstrated evidence that the private provider has appointed a person to act as chief administrator with authority to manage the affairs of the program.  |
| 3.                              | Ed 1114.03(g)        | <b>2 of out of 2</b> IEPs demonstrated evidence that the private provider has kept on permanent file a current list of the names and addresses of all members of the program's board of directors.   |

| COMPLIANCE CITATIONS            |                      | AREA OF COMPLIANCE  |
|---------------------------------|----------------------|---|
| Ed 1114.05                      |                      | B. Program Requirements   |
| Self-Assessment Question Number | Regulatory Component | Review Status   |
| 4.                              | Ed 1114.05(f)        | <b>2 out of 2</b> IEPs demonstrated evidence that the private provider has only accepted students with disabilities for which the program is approved.  |
| 5.                              | Ed 1114.05(h)        | <b>2 out of 2</b> IEPs demonstrated evidence that the private provider has an established system of routine communication among all staff members of the program who provide direct services to a child, including both instructional and residential services and that all staff members involved in |

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|  |  | providing direct services to a child with a disability has participated in the process of planning for that child and shall know the contents of that child's IEP and all other reports and evaluations, as appropriate to their role and responsibilities. |
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| COMPLIANCE CITATIONS            |                                 | AREA OF COMPLIANCE   |
|---------------------------------|---------------------------------|--|
| 34 CFR 300.614<br>Ed 1119.02(a) |                                 | C. Record of Access; Confidentiality Requirements  |
| Self-Assessment Question Number | Regulatory Component            | Review Status  |
| 6.                              | 34 CFR 300.614<br>Ed 1119.02(a) | <b>2 out of 2</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 300.504(a)               |                      | D. Procedural Safeguards  |
| Self-Assessment Question Number | Regulatory Component | Review Status   |
| 7.                              | 34 CFR 300.504(a)    | <b>2 out of 2</b> 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. |

| COMPLIANCE CITATIONS            |                      | AREA OF COMPLIANCE  |
|---------------------------------|----------------------|---|
| 34 CFR 300.323<br>Ed 1109       |                      | E. Individualized Education Program   |
| Self-Assessment Question Number | Regulatory Component | Review Status   |
| 8.                              | Ed 1109.04(a)        | <b>2 out of 2</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. |

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| 9.  | 34 CFR<br>300.324(b)(1)(i)<br>Ed 1109.03(d) | <b>2 out of 2</b> IEP files demonstrated evidence that the IEP was reviewed periodically but not less than annually. |
| 10. | 34 CFR 300.323(a)<br>Ed 1109.03(1)          | <b>2 out of 2</b> IEP files demonstrated evidence that the IEP was in place at the beginning of the school year.     |

| COMPLIANCE CITATIONS            |  | AREA OF COMPLIANCE   |
|---------------------------------|--|--|
| 34 CFR 300.321<br>Ed 1103.01    |  | F. IEP Team; Participants in the Special Education Process   |
| Self-Assessment Question Number | Regulatory Component                     | Review Status  |
| 11.                             | 34 CFR<br>300.321(a)(1)<br>Ed 1109.01(a) | <b>2 out of 2</b> IEP files demonstrated evidence that the IEP Team included the parents of the child.   |
| 12.                             | 34 CFR<br>300.321(a)(2)<br>Ed 1103.01(a) | <b>2 out of 2</b> IEP files demonstrated evidence that at least one regular education teacher of the child participated in the meeting.  |
| 13.                             | 34 CFR<br>300.321(a)(3)<br>Ed 1103.01(a) | <b>2 out of 2</b> IEP files demonstrated evidence that at least one special education teacher or special education provider of the child participated in the meeting.  |
| 14.                             | 34 CFR<br>300.321(a)(4)<br>Ed 1103.01(a) | <b>2 out of 2</b> IEP files demonstrated evidence that the IEP Team included an LEA representative.  |
| 15.                             | Ed 1114.05(d)                            | <b>2 out of 2</b> IEP files demonstrated evidence that the IEP Team included a private provider representative.  |
| 16.                             | Ed 1103.02(a)(b)                         | <b>2 out of 2</b> IEP files demonstrated evidence that the parent(s) received a written invitation no fewer than 10 days before an IEP meeting which included the purpose, time, location and identification of the participants. <b>0 out of 0</b> of those IEP files demonstrated evidence of written consent of the parent(s) that the notice requirements were waived {Ed 1103.02(b)}. |

| COMPLIANCE CITATIONS            |                           | AREA OF COMPLIANCE  |
|---------------------------------|---------------------------|---|
| 34 CFR 300.320                  |                           | G. Individualized Education Program (Present Levels of Academic Achievement and Functional Performance)   |
| Self-Assessment Question Number | Regulatory Component      | Review Status   |
| 17.                             | 34 CFR 300.324(a)(1)(i)   | <b>2 out of 2</b> IEPs demonstrated evidence that the team considered the strengths of the child.   |
| 18.                             | 34 CFR 300.324(a)(1)(iv)  | <b>2 out of 2</b> IEPs demonstrated evidence that the team considered the academic, developmental, and functional needs of the child.   |
| 19.                             | 34 CFR 300.324(a)(1)(ii)  | <b>2 out of 2</b> IEPs demonstrated evidence that the concerns of the parents for enhancing the education of their child were considered.   |
| 20.                             | 34 CFR 300.324(a)(1)(iii) | <b>2 out of 2</b> IEPs demonstrated evidence that the results of the initial or most recent evaluation of the child were considered.  |
| 21.                             | 34 CFR 300.320(a)(1)(i)   | <b>2 out of 2</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.        |
| 22.                             | 34 CFR 300.320(A)(4)(ii)  | <b>2 out of 2</b> IEPs demonstrated evidence of a statement in the IEP that describes how the student's disability affects non-academic areas.  |
| 23.                             | 34 CFR 300.320(a)(1)(ii)  | For preschool children, as appropriate, <b>0 out of 0</b> IEPs demonstrated evidence of a statement in the IEP that describes how the disability affects the child's participation in appropriate activities. |

| COMPLIANCE CITATIONS                     |  | AREA OF COMPLIANCE   |
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| 34 CFR 300.324(a)(2)(i)<br>Ed 1109.03(h) |  | H. Consideration of Special Factors  |
| Self-Assessment Question Number          | Regulatory Component                       | Review Status  |
| 24.                                      | 34 CFR 300.324(a)(2)(i)                    | When a child's behavior impedes the child's learning or that of others, <b>0 out of 0</b> IEPs demonstrated evidence that the team considered the use of positive behavioral interventions and supports, and other strategies, to address that behavior. <i>(No child had behaviors that impeded the child's learning or that of others from the files reviewed.)</i>  |
| 25.                                      | 34 CFR 300.324(a)(2)(ii)                   | When a child demonstrates limited English proficiency, <b>0 out of 0</b> IEPs demonstrated evidence that the team considered the language needs of the child as those needs relate to the child's IEP. <i>(No child demonstrated limited English proficiency from the files reviewed.)</i>   |
| 26.                                      | 34 CFR 300.324(a)(2)(iii)<br>Ed 1109.03(h) | When a child is blind or visually impaired, <b>0 out of 0</b> IEPs demonstrated evidence that the 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>(No child was blind or visually impaired from the files reviewed.)</i> |
| 27.                                      | 34 CFR 300.324(a)(2)(iv)<br>Ed 1109.03(h)  | <b>2 out of 2</b> IEPs demonstrated evidence that the IEP Team considered the communication needs of the child.  |

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| 28. | 34 CFR<br>300.324(a)(2)(iv)<br>Ed 1109.03(h) | When a child is deaf or hard of hearing, <b>0 out of 0</b> IEPs demonstrated evidence that the 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>(No child was deaf or hard of hearing from the files reviewed.)</i> |
| 29. | 34 CFR<br>300.324(a)(2)(v)<br>Ed 1109.03(h)  | <b>2 out of 2</b> IEPs demonstrated evidence that the IEP Team considered whether the child needs assistive technology devices and services.  |

| COMPLIANCE CITATIONS            |                      | AREA OF COMPLIANCE  |
|---------------------------------|----------------------|---|
| Ed 1109.01(a)(10)               |                      | I. Courses of Study   |
| Self-Assessment Question Number | Regulatory Component | Review Status   |
| 30.                             | 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>1 out of 1</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)<br>Ed 1109.01(a)  |   | J. Measurable Annual Goals; Short-term Objectives or Benchmarks   |
| Self-Assessment Question Number   | Regulatory Component                              | Review Status   |
| 31.   | 34 CFR<br>300.320(a)(2)(i)<br>Ed 1109.01(a)(1)    | <b>1 out of 2</b> IEPs demonstrated evidence of a statement of measurable annual goals, including academic and functional goals   |
| 32.   | 34 CFR<br>300.320(a)(2)(i)(A)<br>Ed 1109.01(a)(1) | <b>2 out of 2</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.   |
| 33.   | 34 CFR<br>300.320(a)(2)(i)(B)<br>Ed 1109.01(a)(1) | If there are other educational needs that result from the child's disability, <b>2 out of 2</b> IEPs demonstrated evidence that the measurable annual goals meet each of the child's other educational needs.   |
| 34.   | Ed 1109.01(a)(6)                                  | <b>2 out of 2</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. Provide the goal number for each goal which includes short-term objectives or benchmarks. |
| <p>Three goals were selected for review for each student file. For <b>student file B</b> two goals were missing a condition/situation, one goal was missing a clearly defined/observable behavior, how consistently the student would need to demonstrate the given level of mastery, and how often the goal would be measured. Three goals were missing how the goal would be measured.</p> <p><b>First Stage Corrective Action of Individual Instance of Noncompliance:</b><br/>           Within 2 months of the date of this report, the Learning Skills Academy, in conjunction with the sending district must amend <u>student B's</u> IEP to include measurable annual goals. The Bureau will verify this through a subsequent on-site review.</p> <p><b>First Stage Corrective Action regarding the Implementation of the Regulations:</b><br/>           Provide training to appropriate personnel to address writing measurable annual goals. Provide a brief description of the training including the dates of the trainings and lists of personnel in attendance to the Bureau within 3 months from the date of this report.</p> <p><b>Second Stage Corrective Action Regarding the Implementation of the Regulations:</b><br/>           The Bureau will select 2 new files 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   |
|---------------------------------|----------------------|--|
| Ed 1109.01(a)(8)                |                      | K. Review and Revision of IEPs (Measuring Progress)  |
| Self-Assessment Question Number | Regulatory Component | Review Status  |
| 35.                             | Ed 1109.01(a)(8)     | <b>2 out of 2</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. |

| COMPLIANCE CITATIONS            |                           | AREA OF COMPLIANCE   |
|---------------------------------|---------------------------|--|
| Ed 1114.06(b)                   |                           | L. Responsibilities of Private Providers of Special Education or other Non-LEA Programs in the Implementation of IEPs  |
| Self-Assessment Question Number | Regulatory Component      | Review Status  |
| 36.                             | Ed 1114.06(a); Ed 1109.05 | <b>2 out of 2</b> files demonstrated evidence that the private provider has contacted the sending school district for the purpose of initiating the process for all matters concerning possible changes and/or modification in the identification, evaluation, development and/or revision of an IEP or changes in placement of a child with a disability. |
| 37.                             | Ed 1114.06(g)             | <b>2 out of 2</b> files demonstrated evidence that the private provider of special education has maintained progress information for each child with a disability on an ongoing basis in accordance with 34 CFR 300.600(b)(1).   |
| 38.                             | Ed 1114.06(h)             | <b>2 out of 2</b> files demonstrated evidence that a mid-year review and annual evaluation of the child's progress relative to the written IEP was conducted by the sending LEA and the private provider.  |
| 39.                             | Ed 1114.06(i)             | <b>2 out of 2</b> files demonstrated evidence that a minimum of 3 comprehensive reports per year are completed on each child with a disability enrolled in the program.  |

| COMPLIANCE CITATIONS  |   | AREA OF COMPLIANCE   |
|---|---|--|
| 34 CFR 300.323(d)(2)(ii)<br>Ed 1109.03(a); Ed 1109.03(v); Ed 1102.01(b)   |   | M. Accessibility of Child's IEP to Teachers and Others (General Accommodations and General Modifications)  |
| Self-Assessment Question Number   | Regulatory Component                      | Review Status  |
| 40.   | 34 CFR 300.323(d)(2)(ii)<br>Ed 1109.03(a) | <b>2 out of 2</b> 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.  |
| 41.   | Ed 1102.01(b)                             | If accommodations are included, <b>2 out of 2</b> 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.            |
| 42.   | <b>Ed 1102.03(v)</b>                      | If modifications are included, <b>0 out of 1</b> 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. |
| <p>For <b>student file B</b>, there was no 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.</p> <p><b>First Stage Corrective Action of Individual Instance of Noncompliance:</b><br/>           Within 2 months of the date of this report, the Learning Skills Academy, in conjunction with the sending district must amend <u>student B's</u> IEP so that if modifications are included, the modifications are changes in instruction or evaluation that impacts the rigor and validity or rigor or validity of the subject matter being taught or assessed. The Bureau will verify this through a subsequent on-site review.</p> <p><b>First Stage Corrective Action regarding the Implementation of the Regulations:</b><br/>           Provide training to appropriate personnel to address that modifications are changes in instruction or evaluation that impacts the rigor and validity or rigor or validity of the subject matter being taught or assessed. Provide a brief description of the trainings including the dates of the trainings and lists of personnel in attendance to the Bureau within 3 months from the date of this report.</p> <p><b>Second Stage Corrective Action Regarding the Implementation of the Regulations:</b><br/>           The Bureau will select 2 new student files 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 300.320(a)<br>Ed 1109.01(a)(1); 1109.04(b) |   | N. 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  |
| 43(a).  | 34 CFR<br>300.320(a)(4)<br>Ed 1109.01(a)(1) | <b>2 out of 2</b> IEPs demonstrated evidence of a statement of special education.  |
| 43(b).  | 34 CFR<br>300.320(a)(4)<br>Ed 1109.01(a)(1) | <b>2 out of 2</b> IEPs demonstrated evidence of a statement of related services.   |
| 43(c).  | 34 CFR<br>300.320(a)(4)<br>Ed 1109.01(a)(1) | <b>0 out of 0</b> IEPs demonstrated evidence of a statement of supplementary aids and services.  |
| 43(d).  | 34 CFR<br>300.320(a)(4)<br>Ed 1109.01(a)(1) | <b>0 out of 0</b> IEPs demonstrated evidence of a statement of the program modifications for school personnel.   |
| 43(e).  | 34 CFR<br>300.320(a)(4)<br>Ed 1109.01(a)(1) | <b>0 out of 0</b> IEPs demonstrated evidence of a statement of the supports for school personnel.  |
| 44.   | 34 CFR<br>300.320(a)(7)<br>Ed 1109.01(a)(1) | <b>2 out of 2</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.                  |
| 45.   | 34 CFR<br>300.320(a)(7)<br>Ed 1109.01(a)(1) | <b>2 out of 2</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. |
| 46.   | Ed 1109.04(b)(1)                            | 2 out of 2 IEP files demonstrated written evidence documenting implementation of the IEP with regards to all special education services provided.  |
| 47.   | Ed 1109.04(b)(1)                            | <b>2 out of 2</b> IEP files demonstrated written evidence documenting implementation of the IEP with regards to all related services provided.   |
| 48.   | Ed 1109.04(b)(2)                            | <b>0 out of 0</b> IEP files demonstrated written evidence documenting implementation of the IEP with regards to any supplementary aids and services provided.                                    |

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| 49. | Ed 1109.04(b)(3) | <b>0 out of 0</b> IEP files demonstrated written evidence documenting implementation of the IEP with regards to program modifications. |
| 50. | Ed 1109.04(b)(3) | <b>0 out of 0</b> demonstrated written evidence documenting implementation of the IEP with regards to supports for school personnel.   |

| COMPLIANCE CITATIONS  |   | AREA OF COMPLIANCE  |
|---|---|---|
| 34 CFR 300.320(a)(5)<br>Ed 1109.01(a)(1)  |   | O. Definition of Individualized Education Program (Justification for Non-Participation)   |
| Self-Assessment Question Number   | Regulatory Component                    | Review Status   |
| 51.   | 34CFR 300.320(a)(5)<br>Ed 1109.01(a)(1) | <b>0 out of 2</b> IEPs 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. |
| <p>For <b>student files A &amp; B</b>, there was no evidence 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.</p> <p><b>First Stage Corrective Action of Individual Instance of Noncompliance:</b><br/>           Within 2 months from the date of this report, the Learning Skills Academy, in conjunction with the sending district, must amend the IEPs to include the 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. The Bureau will verify this through a subsequent on-site review.</p> <p><b>First Stage Corrective Action regarding the Implementation of the Regulations:</b><br/>           Provide training to appropriate personnel to address the 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. Provide a brief description of the trainings including the dates of the trainings and lists of personnel in attendance to the Bureau within 3 months from the date of this report.</p> <p><b>Second Stage Corrective Action Regarding the Implementation of the Regulations:</b><br/>           The Bureau will select 2 new student files for updated data demonstrating compliance with this requirement and will verify that this procedure has been developed through a follow up on-site review.</p> |   |   |

| COMPLIANCE CITATIONS                     |   | AREA OF COMPLIANCE   |
|--|---|--|
| 34 CFR 300.320(a)(6)<br>Ed 1109.01(a)(1) |   | P. Definition of Individualized Education Program<br>(State and District Wide Assessments)   |
| Self-Assessment Question Number          | Regulatory Component  | Review Status  |
| 52.                                      | 34 CFR<br>300.320(a)(6)(i)<br>Ed 1109.01(a)(1)<br>RSA 193-C; Ed<br>1114.05(k)     | <b>2 out of 2</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.  |
| 53.                                      | 34 CFR<br>300.320(a)(6)(ii)(a)<br>Ed 1109.01(a)(1)<br>RSA 193-C; Ed<br>1114.05(k) | 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>0 out of 0</b> IEPs demonstrated evidence of a statement of why the child cannot participate in the regular assessment. |
| 54.                                      | 34 CFR<br>300.320(a)(6)(ii)(B)<br>Ed 1109.01(a)(1)<br>RSA 193-C; Ed<br>1114.05(k) | When the child is taking an alternate assessment, <b>0 out of 0</b> IEPs demonstrated evidence describing why the particular alternate assessment selected is appropriate for the child.   |