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Bureau of Special Education FY'09 Memo #18

Date: November 7, 2008

To: Superintendents of Schools
Directors of Special Education

From: Office of the Commissioner of Education

Division of Instruction
Bureau of Special Education

RE: Dates for Identifying and Correcting Issues of Noncompliance

The New Hampshire Department of Education, Bureau of Special Education is offering guidance regarding the timeline for correction of issues of noncompliance that have been identified.

Schools districts are required, by the Individuals with Disabilities Act (IDEA), to correct all areas of noncompliance as soon as possible, but in no case more than one year from the date of the written notification from the State identifying noncompliance. The New Hampshire Department of Education has the authority to order correction of the finding of noncompliance within a specific time period, but no more than one year from the written notification of noncompliance.

The New Hampshire Department of Education requires the LEAs to correct all areas of noncompliance. A finding is an area that has been identified as noncompliant through monitoring activities, such as on-sites visits, desk audits, complaints, or due processing hearings. The NHDOE verifies correction of noncompliance through similar monitoring activities, as well as follow-up to review data and other documentation and/or conducts interviews.

For more information, please contact Santina Thibedeau: sthibedeau@ed.state.nh.us or 271-6693.

This document is also available in alternate format upon request.