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Bureau of Special Education FY'09 Memo #21

**DATE:** December 23, 2008

**TO:** Superintendents of Schools  
Directors of Special Education  
Non-Public Approved Schools  
Private Special Education Approved Schools/Programs

**FROM:** Office of the Commissioner of Education

Division of Instruction  
Bureau of Special Education

**RE:** Guidance for LEAs who place students at New Hampshire Approved Private Special Education Programs

The New Hampshire Department of Education, Bureau of Special Education is offering guidance for Local Education Agencies (LEA) who place students at New Hampshire approved private special education programs.

Beginning immediately for the 2008-2009 program approval cycle for private special education programs, any student specific findings of noncompliance will be identified for both the private special education programs and the LEA. If there is a student specific finding, the LEA will also be notified of the finding of noncompliance. An example of student specific findings might be a finding of noncompliance regarding timelines of evaluation. Student specific findings must be corrected immediately.

LEAs will be held accountable for the area of noncompliance, and will work with the private school in the design of the Corrective Action Plan that will meet the federal timeline.

LEAs will also be offered an opportunity to grieve any inaccuracies in the reporting of the noncompliance through the validation of program approval report form, consisting of rebuttals with supporting documentation.

The NHDOE encourages private special education programs to continue to collaborate with any sending LEA to ensure full compliance for students.

Please feel free to contact Leander Corman, Education Consultant, (603) 271-3863 or [leander.corman@ed.state.nh.us](mailto:leander.corman@ed.state.nh.us) for more information.