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Bureau of Special Education FY'09 Memo #22

Date: December 23, 2008

To: Superintendents of Schools
Directors of Special Education

From: Office of the Commissioner of Education

Division of Instruction
Bureau of Special Education

Re: Procedural Safeguards Handbook for Special Education

Enclosed please find a copy of the New Hampshire Procedural Safeguards Handbook for Special Education,

The Individuals with Disabilities Education Act (IDEA 2004) requires that school districts provide parents a copy of the procedural safeguards (parental rights) only one time a school year. There are additional times when a copy must be given: (1) upon initial referral or parent request for evaluation; (2) upon receipt of the first State complaint or the first due process complaint in a school year; (3) when a decision is made to take a disciplinary action that constitutes a change of placement; and (4) upon parent request.

The Procedural Safeguards Handbook was prepared to be both user-friendly and in compliance with federal requirements for a "procedural safeguards notice." It was prepared in a collaborative effort of the NH State Department of Education, Bureau of Special Education, with the Parent Information Center, NH Association of Special Education Administrators, NH School Administrators Association and NH State Advisory Committee for the Education of Children and Students with Disabilities.

We hope that parents, special education teams, school administrators, school board members, other members of the educational community, and the New Hampshire community in general will find it helpful and informative.

This New Hampshire Procedural Safeguards Handbook is available on the Department of Education's website and on CD from the Department at the address on this letterhead.

For more information, please contact Santina Thibedeau: sthibedeau@ed.state.nh.us or 603-271-6693.

This document is also available in alternate format upon request.