FOR PRIVATE SPECIAL EDUCATION PROGRAMS

APPLICATION FOR RENEWAL OF NEW HAMPSHIRE DOE SPECIAL EDUCATION APPROVAL / NONPUBLIC SCHOOL APPROVAL

2011-2012

Submit All Application Materials by November 1, 2011

Based on
The Individuals with Disabilities Education Improvement Act (IDEA) (2004)
New Hampshire Rules for the Approval of Nonpublic Schools (Ed 400, 2005)
APPLICATION MATERIALS AND ASSURANCES

Please mail the following to the Department of Education:

- School Calendar (as outlined in ED 306.18)
- Completed Private School Self-Study (valid through 6/30/17)
- Documentation of Non-Profit Status
- Updated Health & Fire Inspection Forms
- Secretary of State Registration Documentation from the New Hampshire Department of Education

These application materials must be completed by 1/1/11 and emailed in WORD FORMAT.
New Hampshire Department of Education  
APPLICATION FOR NHDOE SPECIAL EDUCATION APPROVAL AND NONPUBLIC SCHOOL APPROVAL OF PRIVATE PROGRAMS

PRIVATE PROGRAM CURRENT INFORMATION PAGE

<table>
<thead>
<tr>
<th>School Name:</th>
<th>Street, City, State &amp; Zip:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Program(s) Name and Location</th>
<th>Grade(s)</th>
<th>Age Range</th>
<th>Maximum Program</th>
<th>Gender</th>
<th>Disabilities</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Capacity</td>
<td>All males, all females or both</td>
<td>Autism, Deaf-Blindness, Deafness, Developmental Delay, Emotional Disturbance, Hearing Impairments, Intellectual Disability, Multiple Disabilities, Orthopedic Impairment, Other Health Impairments, Specific Learning Disability, Speech-Language Impairments, Traumatic Brain Injury, Visual Impairments</td>
<td>School Year, Summer, or Year Round</td>
</tr>
</tbody>
</table>

**NOTE:** This form is to be used only for all currently approved programs. If you are starting a new program or changing existing programs, please request a new/change application form.

Contact: Jane Bergeron-Beaulieu (jbergero@seresc.net), Pat Larkin (pat@seresc.net) or Michele Watson (mwatson@seresc.net) or call 206-6800

NHDOE Application for Special Education and Nonpublic School Approval for Private Programs, 2011-2012  p. 3 of 20
## Special Education Program Data

Please complete the table below, listing the number of students in each category.

<table>
<thead>
<tr>
<th>Primary Disability Type:</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Visual Impairment</td>
<td></td>
</tr>
<tr>
<td>Traumatic Brain Injury</td>
<td></td>
</tr>
<tr>
<td>Speech or Language Impairment</td>
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<tr>
<td>Specific Learning Disabilities</td>
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<tr>
<td>Other Health Impairment</td>
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<tr>
<td>Orthopedic Impairment</td>
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<tr>
<td>Multiple Disabilities</td>
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<tr>
<td>Intellectual Disability</td>
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<tr>
<td>Hearing Impairment</td>
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<tr>
<td>Immunological Disability</td>
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<tr>
<td>Developmental Delay</td>
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<tr>
<td>Deafness</td>
<td></td>
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<tr>
<td>Blindness</td>
<td></td>
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<tr>
<td>Autism</td>
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</tbody>
</table>

### Staff Demographics

<table>
<thead>
<tr>
<th>Average Length of Stay for Students</th>
<th>#</th>
</tr>
</thead>
<tbody>
<tr>
<td># of Identified Students Suspended One or More Times</td>
<td>#</td>
</tr>
<tr>
<td>October 1, 2011</td>
<td></td>
</tr>
<tr>
<td>Number and Name of Sending New Hampshire LEA's #</td>
<td></td>
</tr>
<tr>
<td># of LEA's Issued to Each Student</td>
<td>#</td>
</tr>
<tr>
<td>Do You Accept Out-of-State Students?</td>
<td></td>
</tr>
<tr>
<td>Student Enrollment as of December 1</td>
<td>2011-2012</td>
</tr>
</tbody>
</table>

## School Profile

To provide a comprehensive description of the school, please complete the following sections in the profile section of the application.

### Instructions:

- Provide a detailed description of the school.
- Include information about the school's mission and goals.
- Describe the school's curriculum and instructional methods.
- Detail any special programs or services offered to students.
- Include information about the school's staff and faculty.
- Provide a financial overview of the school, including budget and funding sources.
- Describe the school's facilities and physical environment.
- Include any relevant statistics or data about student achievement and outcomes.

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**Application for NHDOE Special Education Approval and Nonpublic School**

New Hampshire Department of Education
**ADDITIONAL INFORMATION FOR NONPUBLIC SCHOOL APPROVAL:**

**Please confirm the following:**

<table>
<thead>
<tr>
<th>Is this school for profit or non-profit?</th>
<th>YES</th>
<th>NO</th>
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</table>

**If non-profit, please submit documentation of non-profit status.**

- The school will be open 180 days a year, per RSA 189.1, RSA 193.1 and ED 401.03.
  (If less than 180 days, a waiver is needed from the Commissioner)
- **Please submit a school calendar with your application.**

- This program is registered with the Secretary of State's Office (SOS) to do business in New Hampshire. (http://www.sos.nh.gov/corporate/index.html)
- **Please submit documentation indicating you are registered with the SOS.**

- English will be the primary language used in this school, per RSA 189:19.

<table>
<thead>
<tr>
<th>The school will submit to the NH Department of Education, on or before October 15th each year, the school’s average daily membership in attendance, fall enrollment and teacher staff numbers, in accordance with RSA 189.28.</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

<table>
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<tr>
<th>The school will display a United States flag no less than 5 feet in length outdoors, as required in accordance with RSA 189:17.</th>
<th>YES</th>
<th>NO</th>
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</table>

<table>
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<tr>
<th>The school will require students to be immunized against diphtheria, mumps, pertussis, poliomyelitis, rubella, rubeola and tetanus prior to enrollment, and maintain the results in the students' records, per RSA 141-C:20a.</th>
<th>YES</th>
<th>NO</th>
</tr>
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<table>
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<tr>
<th>Does the school have an Automated External Defibrillator (AED)?</th>
<th>YES</th>
<th>NO</th>
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</table>

- If so, is it registered as required by RSA 153-A:32.

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<tr>
<th>Will you be issuing a nonpublic high school diploma? If so, which subjects and how many credits will be required:</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

**Note:**

For programs that offer a residential component, the NHDOE will require a "walk through" of the residential areas as part of the approval process.

**Completed Health and Fire Inspection Forms** must be submitted with this application for each education building. **Forms are valid for one year and must be current through June 30, 2012.**
Please describe the administrative structure in your school, including the description of the oversight and supervision of special education services.

ADMINISTRATIVE STRUCTURE

MISSION, BELIEFS AND GOALS

Please provide a few minutes to provide the mission, beliefs, and goals for student learning within your private, either for-profit or non-profit, organization. Mission statements are intended to express ideals, values, and aspirations that are integral to the mission of the organization. Beliefs and a clear focus are the foundation for all decisions and procedures. At minimum, please provide at least one clear, concise statement of mission, and a set of specific and realistic beliefs that are associated with the mission.
CORRECTIVE ACTION(S)/IMPROVEMENTS RESULTING FROM PREVIOUS PROGRAM APPROVAL VISIT

In This Section, Please Address The Progress Made On FINDINGS OF NON-COMPLIANCE / REQUIRED ACTIONS FOR IMPROVEMENT Since The Previous Program Approval Visit:

<table>
<thead>
<tr>
<th>FINDING / REQUIRED ACTION</th>
<th>IMPROVEMENT ACTIVITY</th>
<th>EVIDENCE OF IMPACT ON STUDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Example:</strong> ED 1109.01 Elements of an Individualized Education Program (IEP) Finding: A lack of clearly written measurable annual goals in IEPs.</td>
<td>A series of professional development sessions will be offered in developing well-written measurable annual goals. Teachers will have collaborative time for peer review of goals (workshops).</td>
<td>Students' progress is quantifiable and regularly measured. IEPs are reviewed and revised if student is not making progress. IEP goals are easily understandable by parents, students and all staff. Goals are clearly connected to students' present level of performance.</td>
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</tbody>
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<td>SUGGESTIONS FOR IMPROVEMENT</td>
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IMPROVEMENT Since the Previous Program Approval Visit

In this Section, please address the progress made on suggestions for improvement.
LEA SURVEY
New Hampshire Department of Education
Special Education Program Approval and Improvement Process

<table>
<thead>
<tr>
<th>LEA: (optional)</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private School:</td>
<td></td>
</tr>
<tr>
<td>Number of Students and Responsibility for Placement:</td>
<td>LEA:</td>
</tr>
<tr>
<td></td>
<td>Court:</td>
</tr>
<tr>
<td></td>
<td>Parents:</td>
</tr>
</tbody>
</table>

PLEASE RESPOND TO THE STATEMENTS BELOW USING THE FOLLOWING LIKERT SCALE:

1. The private school team has positive expectations for students.  
2. I am satisfied with the educational program at the above school.  
3. The school consistently follows special education rules and regulations.  
4. The school has an effective behavioral program (if applicable).  
5. I am satisfied with the related services provided by the school.  
6. The school implements all parts of students’ IEPs.  
7. I feel the school provides the necessary skills to allow the student to make progress on the IEP goals.  
8. The school program measures academic growth.  
9. The school program measures behavioral growth (if applicable).  
10. The school completes a minimum of 3 comprehensive reports per year on each child with a disability enrolled.  
11. The progress reports describe the child’s progress toward meeting the IEP goals, include a record of attendance, and are written in terminology understandable to the parent.  
12. Progress reports are provided to the LEA and to the parent of the child.  
13. I am satisfied with the way the school communicates students’ progress.  
14. The school communicates effectively with parents.  
15. The school communicates effectively with the LEA.  
16. The school involves parents in decision-making.  
17. The school actively plans for future transition to a less restrictive placement.  
18. If the school finds it necessary to change or terminate placement, they notify the LEA by convening the IEP team to: review the concerns, review/revise the IEP, discuss the placement and determine if the facility can fully implement the IEP and provide FAPE.  
19. The school team sets meeting times that are convenient for both parents and the LEA.  
20. The school has met my expectations.  
21. I have a good relationship with the school.  
22. I would enroll other students at the school.

Comments:

<table>
<thead>
<tr>
<th>4</th>
<th>3</th>
<th>2</th>
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<tbody>
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<td>17.</td>
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<td>19.</td>
<td>20.</td>
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<td>21.</td>
<td>22.</td>
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</tbody>
</table>
Analysis of Response by Private School (insert additional page if needed):

20. The school has met my expectations.
19. The school can set goals and meet them.
18. If the school needs to change or eliminate programs, it does so.
17. The school actively plans for future transition to a less restrictive placement.
16. The school involves parents in decision-making.
15. The school communicates effectively with the LEA.
14. The school communicates effectively with parents.
13. I am satisfied with the way the school communicates with students.
12. I have attended the school's conferences.
11. Progress reports are provided in a timely manner.
10. The school provides a comprehensive report of academic progress per year on each child.
  9. The school program measures behavior and growth.
  8. The school program measures academic growth.
  7. The school provides the necessary skills to allow the student to make progress.
  6. The school implements the IEPs of students.
  5. I am satisfied with the special services provided by the school.
  4. The school has an effective special education program.
  3. The school consistently follows special education laws and regulations.
  2. I am satisfied with the educational program at this school.
  1. The private school has positive expectations for students.

Answer: [ ] Agree 4 [ ] Strongly Agree 2 [ ] Neutral 1 [ ] Disagree 3 [ ] Strongly Disagree

Instructions: Please type TOTAL NUMBER OF RESPONSES IN EACH BOX.

Parent: [ ]
Court: [ ]
LEA: [ ]

Total # of completed surveys received: [ ]
Total number of surveys sent: [ ]

Name of Private School: [ ]

Summary Report of Sending LEAs

Application of Private School

Application for Non-DOE Special Education Approval and Nonpublic School

New Hampshire Department of Education
PARENT SURVEY
New Hampshire Department of Education
Special Education Program Approval and Improvement Process

(If you wish to complete this form for more than one child, make a copy or request a 2nd copy from the school.)

PLEASE RESPOND TO THE STATEMENTS BELOW USING THE FOLLOWING SCALE:

3 COMPLETELY   2 PARTIALLY   1 NOT AT ALL

<table>
<thead>
<tr>
<th>ACCESS TO THE GENERAL CURRICULUM:</th>
<th>3</th>
<th>2</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>I am satisfied with my child’s program and the supports that he/she receives.</td>
<td></td>
<td></td>
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<tr>
<td>My child has opportunities to interact with non-disabled peers on a regular basis.</td>
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<td>I am adequately informed about my child’s progress.</td>
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<td>My child is informed about and encouraged to participate in school activities outside of the school day, and is offered necessary supports.</td>
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<td>My child feels safe and secure in school and welcomed by staff and students.</td>
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<td>A variety of information (observations, test scores, school work, parent input) was used in developing my child’s IEP.</td>
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<td>I am satisfied with the progress my child is making toward his/her IEP goals.</td>
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</table>

FOR PARENTS OF HIGH SCHOOL STUDENTS ONLY:
My child earns credits toward a regular high school diploma in all of his/her classes.

<table>
<thead>
<tr>
<th>TRANSITION:</th>
<th>3</th>
<th>2</th>
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</thead>
<tbody>
<tr>
<td>I am satisfied with the planning and support provided for the moves my child has made from grade to grade and school to school.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>All of the people who are important to my child’s transition were part of the planning.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

FOR PARENTS OF STUDENTS AGE 16 OR OLDER ONLY:
I am satisfied with the written secondary transition plan that is in my child’s IEP.

<table>
<thead>
<tr>
<th>BEHAVIOR STRATEGIES AND DISCIPLINE:</th>
<th>YES</th>
<th>NO</th>
<th>3</th>
<th>2</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>My child’s classroom behaviors affect his/her ability to learn.</td>
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</tr>
<tr>
<td>If the answer is yes, please answer the next two questions. If no, skip to OTHER.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>I have been involved in the development of behavior interventions, strategies and supports for my child.</td>
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<td>I am satisfied with the way the school is supporting my child’s behavioral, social and developmental needs.</td>
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<table>
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<tr>
<th>OTHER:</th>
<th>3</th>
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<tbody>
<tr>
<td>I fully participate in special education decisions regarding my child</td>
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<tr>
<td>I have been provided with a copy of the procedural safeguards (parental rights) at least once a year</td>
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</tbody>
</table>

My Child’s grade level is (circle one): preschool  elementary  middle school  high school

Comments:
Guidelines for Analyzing Parent Survey Data

1. List areas of relative strength identified by parents in each of the three focus areas (access to the
General Curriculum, Transitions, and Behavior Strategies and Discipline).

2. List survey results in areas that may indicate need for improvement.

3. What areas of focus would you target if you were developing an action plan based on this survey?

Review the surveys after they have been completed and returned to you. Complete the data summary form

NHDOE Application for Special Education and Nonpublic School Approval for Private Programs 2011-2012
### SUMMARY OF PARENT SURVEY DATA

<table>
<thead>
<tr>
<th>Name of Private School:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of surveys sent:</td>
</tr>
</tbody>
</table>

### INSTRUCTIONS FOR SCHOOL:
PLEASE FILL IN ACTUAL NUMBER OF RESPONSES (NOT PERCENT) IN EACH BOX.

### SCALE
3 = COMPLETELY  2 = PARTIALLY  1 = NOT AT ALL

### ACCESS TO THE GENERAL CURRICULUM:

<table>
<thead>
<tr>
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### BEHAVIOR STRATEGIES AND DISCIPLINE:

<table>
<thead>
<tr>
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### OTHER:

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<td></td>
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</tr>
<tr>
<td>I have been provided with a copy of the procedural safeguards (parental rights) at least once a year</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
model being used by your facility.

consultants must be hired. Please attach to the personnel roster a description of the consultation.

If a private school does not have certified staff for all areas outlined in the NH Minimum Standards,

Co-curricular Program
ED 306.27 High School Curriculum, Units of Credit, Graduation Requirements and
ED 306.26 Kindergarten – Grade 8 Curriculum
ED 306.15 Provision of Staff and Staff Qualifications

Approval:
available to oversee and consult accordingly. Refer to the NH Minimum Standards for Public School
for any school that does not have a full array of qualified educators, certified individuals must be

2. One roster listing all consultants and contracted service personnel.

possible. Nicknames are not accepted.
Please list names on roster as they are listed on certificates. Include maiden name for middle initial if

Copy of their intern license with the personnel roster.

For all staff listed as accepted into an Alternative TV Certification Program, please provide a

Service.

listed on one page and related service providers on the separate page designated for contact.

school who provide services to students with educational disabilities, with educators and administrators

1. One roster for each program within the private facility. Include all professional staff employed in the

One roster is to be completed for each of the following:

INSTRUCTIONS

PERSONNEL ROSTER
New Hampshire Department of Education
APPLICATION FOR NHDOE SPECIAL EDUCATION APPROVAL AND NONPUBLIC SCHOOL APPROVAL OF PRIVATE PROGRAMS

2011-2012 PRIVATE SPECIAL EDUCATION SCHOOL PERSONNEL ROSTER
PLEASE READ INSTRUCTION SHEET (PREVIOUS PAGE) BEFORE COMPLETING
Include all professional staff employed in the school who provide services to students with educational disabilities
(List Contracted Services Staff on next roster page)

<table>
<thead>
<tr>
<th>Name</th>
<th>School or Program</th>
<th>Job Title</th>
<th>Endorsed In</th>
<th>CHECKONE</th>
<th>License or Certificate Number</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examples:</td>
<td>Mary Lamb</td>
<td>Resource Room Teacher</td>
<td>Gen. Sp. Ed. L.D.</td>
<td>X</td>
<td>23456789</td>
<td>6/30/10</td>
</tr>
<tr>
<td>John Franklin</td>
<td>5th Grade EH Teacher</td>
<td>In process – see attached letter</td>
<td></td>
<td></td>
<td>Enrolled in Alt IV</td>
<td>6/30/11</td>
</tr>
<tr>
<td>Jane (Osborn) Johnson</td>
<td>MR Teacher, Grades 9-12</td>
<td>Educational Intern License</td>
<td></td>
<td></td>
<td>00123456</td>
<td>6/30/10</td>
</tr>
<tr>
<td>Mark Smith</td>
<td>Educational Interpreter – Non-Grade Designation</td>
<td>Educator/Translator</td>
<td></td>
<td>X</td>
<td>060536987</td>
<td>6/30/11</td>
</tr>
</tbody>
</table>

Please list educators and administrators. List name as listed on certificate – include maiden name &/or middle initial if possible; nicknames are not accepted.

NHDOE Application for Special Education and Nonpublic School Approval for Private Programs, 2011-2012   p. 15 of 20
New Hampshire Department of Education
APPLICATION FOR NHDOE SPECIAL EDUCATION APPROVAL AND NONPUBLIC SCHOOL
APPROVAL OF PRIVATE PROGRAMS

NHDOE Bureau of Special Education
Program Approval and Improvement Process
Private Special Education Schools

Description of Roles and Responsibilities of Certified Consultants Working with Private Special Education Schools: Guidance Document
It is the role of the New Hampshire Department of Education to ensure that all students with disabilities are provided Free and Appropriate Public Education (FAPE), including equal educational opportunities and full access to the general curriculum. As part of NHDOE Case Study Compliance Review Process, one critical element that is reviewed by the NHDOE is curricula, specifically ensuring that there is a viable curriculum which meets state requirements and that there are appropriately credentialed staff responsible for implementation of the course offerings. Recognizing that private special education schools have limited resources and that student enrollments are typically quite small, assembling a full time staff to cover all curriculum requirements presents a challenge.
In an attempt to assist private special education schools in meeting the certification standards for educational personnel, the NHDOE, Bureau of Special Education, has endorsed the implementation of a “consultation model” for use in the private special education school setting. In order to further define and clarify how this consultation model can be utilized, the following guidelines are provided:

When is a consultant needed?
Attached to this document are the core curriculum requirements for elementary, middle and high school levels. Depending on the grade span of the private special education school, each of these curriculum areas must be offered, along with a certified teacher who will be responsible for providing the instruction. If the certified teacher does not hold certification in the content area in which he/she is teaching, there must be a consultant who holds that certification working along with the teacher. For example, a certified special education teacher providing instruction for a high school English course must have a certified English teacher consulting with them in the design of instruction and monitoring of the curriculum. It is important to note, that consultants working with NH special education schools must hold teaching certification in the area in which they are consulting; HQT status is not recognized as fulfilling the requirement for certification. It is also important to note that private special education schools providing programming for grades k-8 must meet all of the elementary and middle school curriculum requirements.

What Are Possible Roles and Responsibilities of Consultants Hired By the Private Special Education School?
The role of a consultant providing services to a private special education school will vary depending on a variety of factors within each special education school. Listed below is a list of the possible roles and responsibilities of consultants who are offering technical assistance and consultation services to private special education schools. Please keep in mind that the list below is just a sampling of roles that might be covered by consultants.

- To share curriculum information and assist in the planning and delivery of instruction
- To assist in the private school in identifying nationally recognized norm referenced or criterion referenced assessment tools that are designed to measure the effectiveness of the curriculum, instruction and assessment.
- To provide demonstration lessons, observe lessons being taught, and assist in measuring the effectiveness of the instruction being provided
- To share curriculum resources, such as materials, supplies, technology based information
- To act as a mentor, provide guidance and offer suggestions to the private school staff
- To assist the private special education school in making connections with resources and professional development available in the public school setting or greater educational community
- To share current research
- To assist in curriculum development
- To create relationships and conditions for collegial conversations and reflective practice

NHDOE Application for Special Education and Nonpublic School Approval for Private Programs, 2011-2012  p. 17 of 20
utilized for any individual providing consultation services.

The private special education school may wish to consider the development of an official "contract" that is consistently

Informed Agreement Regarding Payment for Service

Feedback from Stakeholders Receiving the Consultation

Evidence of Impact Upon the Curriculum/Institution Provided

Method of Consultation (face-to-face, electronic, small group, etc.)

Purpose of the Consultation

Frequency of the Consultation (including but not limited to dates and times)

Consultation Certification Information

Name of Consultant

Following:

Equally important is to document the consultation provided to the school including but limited to the
administration. Equally important is to document the consultation provided to the school including but limited to the
individual needs of the school and the individual teacher and also be considered as a useful resource to the staff and
the learning community. It is of critical importance that the consultation services offered be designed to meet the
learning community model. In addition, a minimum of quarterly consultation is recommended for all other required content
areas. All consultation may be provided individually or through small group work sessions through a professional
curriculum (Language Arts, Math, Science, Social Studies). This can be face to face meetings, consultation by phone

APPROVAL OF PRIVEATE PROGRAMS
APPROVAL FOR NHDOE SPECIAL EDUCATION APPROVAL AND NONPUBLIC SCHOOL
New Hampshire Department of Education
REQUIRED CERTIFIED STAFF OR CONSULTANTS
ED 306.15 Provisions of staff and staff qualifications
Each school shall provide the services of a certified administrator (e.g. special education administrator, principal), a certified library media specialist and a certified guidance counselor(s); art, music, health and physical education teachers
Elementary: In each elementary school, the services of a reading specialist and library media specialist to facilitate the delivery of the language arts and reading program established in Ed 306.37(a)
Middle and High Schools: A library media specialist to support the instructional resources program and facility requirements.

NAME OF PRIVATE SCHOOL/PROGRAM:

<table>
<thead>
<tr>
<th>Requirements Endorsement/Code</th>
<th>Ed Number</th>
<th>Elem.</th>
<th>Middle School</th>
<th>High School</th>
<th>Curriculum in Place</th>
<th>Certified Staff</th>
<th>Certified Consultant</th>
</tr>
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<tbody>
<tr>
<td>Administrator 0003,0006</td>
<td>Ed506.7</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
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<td></td>
<td>Ed506.04</td>
<td></td>
<td></td>
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<tr>
<td>Art Education 0200</td>
<td>Ed507.09</td>
<td>X</td>
<td>X</td>
<td>X (art or music)</td>
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<tr>
<td>Library Media Specialist 0036</td>
<td>Ed507.21</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Guidance Counselor 0040</td>
<td>Ed507.07</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Music 1200</td>
<td>Ed507.38</td>
<td>X</td>
<td>X</td>
<td>X (music or art)</td>
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<td>Health 1200</td>
<td>Ed507.15</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Physical Education 0800</td>
<td>Ed507.38</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Information and Communication Technology 3000,1000</td>
<td>Ed507.05</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Reading Specialist 0037</td>
<td>Ed507.12</td>
<td>X</td>
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<tr>
<td>Mathematics 2600,2700</td>
<td>Ed507.25</td>
<td></td>
<td>X</td>
<td>X (includes Algebra)</td>
<td></td>
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<tr>
<td></td>
<td>Ed507.26</td>
<td></td>
<td></td>
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<tr>
<td>Science 1301,1302,1304</td>
<td>Ed507.29</td>
<td></td>
<td>X</td>
<td>X (includes Biology or Physical Science)</td>
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<td></td>
<td>Ed507.31</td>
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<td></td>
<td>Ed507.30</td>
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<td>Social Studies 1501</td>
<td>Ed507.27</td>
<td>X</td>
<td>X</td>
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<td></td>
<td>Ed507.271</td>
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<tr>
<td>English/Language Arts 0500,0501</td>
<td>Ed 507.24</td>
<td>X</td>
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<td>X</td>
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<tr>
<td></td>
<td>Ed504.241</td>
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<tr>
<td>Family &amp; Consumer Science 0900</td>
<td>Ed507.48</td>
<td>X</td>
<td></td>
<td>X</td>
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<tr>
<td>Technology Ed</td>
<td>507.22</td>
<td></td>
<td>X</td>
<td>X</td>
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<tr>
<td>Business</td>
<td>507.47</td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>Required Subjects</td>
<td>Credit(s)</td>
<td></td>
<td></td>
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<tr>
<td>Arts/education courses</td>
<td>3 credits</td>
<td></td>
<td></td>
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<tr>
<td>Information and communication technologies</td>
<td>5 credits</td>
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<tr>
<td>Family and consumer</td>
<td>3 credits</td>
<td></td>
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<tr>
<td>World languages</td>
<td>5 credits</td>
<td></td>
<td></td>
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<tr>
<td>Physical education</td>
<td>5 credits</td>
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<tr>
<td>Technology education</td>
<td>4 credits</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>English</td>
<td>6 credits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mathematics</td>
<td>6 credits</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Social studies</td>
<td>5 credits</td>
<td></td>
<td></td>
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<tr>
<td>Total</td>
<td>20 credits</td>
<td></td>
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</tbody>
</table>

* Note: HQT status is not recognized in private schools as fulfilling the requirement for certification.

- K-3 Schools must have content specialists required for core curriculum.
INFORMATION
AND INSTRUCTIONS

FOR NHDOE SPECIAL EDUCATION /
NONPUBLIC SCHOOL APPROVAL
FOR PRIVATE SPECIAL EDUCATION
PROGRAMS

2011-2012

Based on
The Individuals with Disabilities Education Improvement Act (IDEA) (2004)
New Hampshire Rules for the Approval of Nonpublic Schools (Ed 400, 2005)
IN ADDITION TO THE APPLICATION PLEASE SUBMIT BY 12/1:

- Personal Background
- Summary of Parent/Adult Response
- Description of the Prior Special Education Program
- School Profile Information
- Currere Program Information
- Signed Assurances Page

INCLUDING:

ALL COMPLETED APPLICATIONS MUST BE SUBMITTED BY NOVEMBER 1, 2011

This educational Disabilities Act (IDEA) of 2004, the IDEA, and the State, is responsible for qualifying and assessing the results. A parent assistance survey is required as part of the application. The survey must be distributed to all parents who have students with associated grades are part of the application. The survey is required as part of the Case Study Completeness Review. The survey and instructions are part of the application packet. The school is responsible for analyzing the results.

The survey is required as part of the application. The survey must be distributed to parents who have students with associated grades are part of the application. The survey is required as part of the Case Study Completeness Review. The survey and instructions are part of the application packet. The school is responsible for analyzing the results.

ADDRESSED:

Regarding programs, and are also the means by which corrective actions are taken. The IDEA, and the State, is responsible for qualifying and assessing the results. A parent assistance survey is required as part of the application. The survey must be distributed to parents who have students with associated grades are part of the application. The survey is required as part of the Case Study Completeness Review. The survey and instructions are part of the application packet. The school is responsible for analyzing the results.

INFORMATION AND INSTRUCTIONS

EDUCATION PROGRAM APPROVAL AND NONPUBLIC SCHOOL APPROVAL PROCESSES

1. SUBMISSION OF APPLICATION MATERIALS FOR THE COMPLETED NHDOE SPECIAL

Education Program Approval

Nonpublic School Approval

To apply for approval, the applicant must submit a complete application for approval along with the required documentation. The application must include the following:

- A completed application form
- A detailed description of the program
- Documentation of the program's compliance with the IDEA
- A statement of the program's mission and goals
- A description of the program's instructional and support services

Approval is granted upon receipt of the completed application and the required documentation. The approval process typically takes several months to complete.

INFORMATION AND INSTRUCTIONS

NONPUBLIC SCHOOL APPROVAL OR PRIVATE PROGRAMS

INFORMATION AND INSTRUCTIONS FOR NHDOE SPECIAL EDUCATION APPROVAL AND

New Hampshire Department of Education
New Hampshire Department of Education
INFORMATION AND INSTRUCTIONS FOR NHDOE SPECIAL EDUCATION APPROVAL AND
NONPUBLIC SCHOOL APPROVAL OF PRIVATE PROGRAMS

* Current program information forms submitted should match the information in NHSEIS. The Technical Assistant assigned to your site will review a NHSEIS verification printout with you and make corrections to either the NHSEIS printout or the program information form, as necessary.

**For any New Programs or Changes to Programs**
For any new Special Education programs or changes to existing programs, such as changes to location, grade level or disabilities served in an approved program, a “New Program or Change to Existing Program Application” must be filed with and approved by the NHDOE. To receive a form, contact Jane Bergeron-Beaulieu, jbergero@seresc.net, Pat Larkin, pat@seresc.net or Michele Watson, mwatson@seresc.net or call 206-6800. PLEASE NOTE: This form is not available on the SERESC website due to the unique aspects of individual programs and clarification needed.

2. **NH DEPARTMENT OF EDUCATION REVIEW OF APPLICATION MATERIALS**
   (a) The required application materials will be reviewed by the NHDOE, Bureau of Special Education, for purposes of completeness, and additional information may be requested if deemed necessary. The review will list and address the required approval criteria and outline the applicant program’s status with regard to each approval criterion. Such written reviews shall be made available to the applicant program.
   (b) Prior to conducting the Case Study Compliance Review, the State Department of Education will determine that the program applying for approval is fiscally solvent.
   (c) Any findings of non-compliance, required actions for improvement and/or suggestions for improvement resulting from the review of the application and additional application materials will be forwarded to the applicant program in writing as part of the Case Study Compliance Review Report.

3. **THE CASE STUDY COMPLIANCE REVIEW**
   (a) A Program Approval Technical Assistant (TA) will work with the facility well in advance of the visit to determine the number of case studies selected for data collection and review. The TA will randomly select students who will serve as the Case Studies. It is expected that all individuals who are involved in the case studies (special educators, general educators, paraprofessionals, and related service providers) will be available to work with the visiting team members during the visit. This will require advance planning and coverage for classroom teachers.
   (b) The New Hampshire Department of Education will work with the Program Approval Technical Assistant to gather a team of professionals from the field of education that have no personal and/or financial interest in the private facility/non-district program applying for approval. These individuals will be chosen on the basis of their professional training, experience, and ability to provide technical assistance to the type of program for which approval is being requested.
   (c) The Case Study Compliance Review will focus on three areas: (1) **Access to the General Curriculum**, (2) **Transition** and (3) **Behavior Strategies and Discipline**. In their case study presentations, case study teams will demonstrate evidence of their practice and compliance with state and federal Special Education rules and regulations in these three key areas, linking these areas to student progress and achievement.
   (d) On the first morning of the Case Study Compliance Review, the visiting team and representatives from the facility will meet for an orientation. We ask that the Education/Special Education Director, Executive Director and other representatives from the program be available at the start of the orientation to meet the team and provide an overview of Special Education services.
   (e) The Technical Assistant from SERESC typically interviews the Executive Director, Education/Special Education Director and a Board member during the visit.
   (f) The Visiting Team members will work collaboratively with principals, teachers, parents, students and related service providers to conduct all Program Approval activities. A building contact person will be
NOTIFICATION OF STATUS

A Corrective Action Plan will need to be written and reviewed by the assiged Technical Assistant.

The proposed school will have the opportunity to complete a validation form, responding to the Federal

Findings of noncompliance and required actions for improvement

Correctional and suggestions for improvement for the program

A review of the previous report and corrective action plan and corrective information

A review of the information submitted in the Case Study Review

A list of all visiting and building level team members participating in the Case Study Review

The list will include the following:

Within approximately fifteen to twenty weeks, the decision for the team will prepare a summary report of

An end of the Case Study Complete Review, the visiting team will collaborate with building level

Participate in the data collection activities.

asked to assist in coordinating data collection activities.
5. GENERAL PROVISIONS REGARDING THE APPROVAL AND OPERATION OF A PRIVATE FACILITY AND OTHER NON-DISTRICT PROGRAMS SERVING CHILDREN AND YOUTH WITH DISABILITIES

(a) The State Department of Education is empowered to monitor approved programs during the course of the approval period.

(b) Programs granted approvals are subject to re-evaluation at a minimum of every five (5) years. Re-evaluation shall involve a complete, objective study to determine the program's current status with regard to compliance with all relevant laws and regulations.

(c) The State Department of Education is empowered to request a certified audit of any program finances during the initial study, if the program has been in operation for a sufficient period of time, during any subsequent re-evaluation, or, given reasonable ground, at any other time. The cost of such audits will be borne by the programs.

(d) Any program approved for operation is required to report any of the following situations to the State Department of Education:

- Any legal proceeding against the program or any employee of the program where such proceeding arises from circumstances related to the care or education of students in the program or the continued operation of the program, within ten (10) days of the initiation of such proceeding.

- The death of any student, within twenty-four (24) hours of occurrence, while the student is enrolled in the program.

- Any serious injury to, or any previously unidentified disorder or illness of a student, which occurs during the hours while the student is in the program and which requires in-patient hospitalization, within twenty-four (24) hours of occurrence.

- Any change in the program, ownership policies, fiscal solvency, services, facilities, or location within one (1) week of such changes.

The program must inform the parents and the sending agency of the death, injury, or serious illness of a student. Any of the preceding situations may result in re-evaluation of the program.
Sincerely,

Process:

Welcome your ideas and collaboration and would like to inform you of the important process. Please feel free to contact your child's case manager if you have any questions, or would like to participate in the process. Parents are very important members of the IEP team; we strongly encourage you to be actively involved in the case study process.

Parents who are selected for the case study will be provided with an in-depth review of your child's educational history. Information from selected private schools (if any) will be gathered and reviewed. The study will be conducted over a period of time, and results will be shared with all parties involved.

The study process involves a number of activities, including a visit to (private) school(s), (private) school(s), and other relevant activities.

Dear Mr. and Mrs. [Last Name],

Below is a sample letter that you might wish to adapt:

Sample Parent Letter

Case Study Compliance Review

Nonpublic School Approval of Private Programs
Information and Instructions for New Hampshire Special Education Approval and New Hampshire Department of Education
PARENT FEEDBACK

The New Hampshire Department of Education Special Education Program Approval and Improvement Case Study Process requires that parents have an opportunity to offer input regarding their children’s programs. Specifically, the NHDOE is requesting parents’ perspectives on Access to the General Curriculum, Transitions, and Behavior Strategies and Discipline. This information will be gathered through the parent satisfaction survey on the next page. **The survey must be sent to parents of all children with identified educational disabilities.** The surveys should be sent home with a cover letter from you explaining the purpose and requesting a return within a week (see sample letter below).

Once you receive the results, please tabulate and analyze the information. A summary of the results (see application) will be included in the Case Study Compliance Review report and will be helpful information for you as you write your Corrective Action and Improvement Plan.

Your technical assistant is available to answer any questions that you or your staff may have regarding this aspect of the Case Study Compliance Review.

---

**Case Study Compliance Review**

**Sample Parent Survey Cover Letter**

Date

Address

Dear Parents/Guardians,

This year (Private School Name) will be participating in a New Hampshire Department of Education Program Approval Review of the Special Education programs for students in our school. As part of that process, it is important to hear what parents think about their student’s school experience. Specifically, we would like to know how satisfied you are with the Special Education services provided by the school and with the progress your student has made as a result of those supports.

We are enclosing a parent survey and ask that you complete it and send it back to (……) by (date). Please complete a separate survey for each child receiving Special Education services.

Your completion of this survey is an important part of evaluating our school programs. Thank you very much for your participation and for your help with this process.

Sincerely,
Thank you for taking the time to fill out our survey. Please respond by date.

Sincerely,

[Name]

Below you will find a sample letter to be personalized and distributed along with the survey.

[Sample Letter]

You will find a sample letter that may be personalized and distributed along with the survey.

Thank you for filling out the survey. Your responses will help us better understand the needs of our students and make informed decisions regarding the education of all students.

The survey is designed to assess the effectiveness of current programs and identify areas for improvement. Your feedback is valuable in helping us make necessary changes to our educational programs.

Please respond by [Date].

[Deadline]

Survey of Sending LEAs

Nonpublic School Approval of Private Programs

Information and Instructions for NHDOE Special Education Approval and
New Hampshire Department of Education
PRIVATE SCHOOL SELF-STUDY

1. **INSTRUCTIONS:**

   The following instructions, procedures and safeguards apply to all private schools seeking initial approval or continuation of approved status by the New Hampshire Board of Education as a private facility or other non-district program for the education of children with disabilities, pursuant to the provisions of RSA-186C, RSA 193:1, RSA 198:20-a, RSA 186:11, XXXIX and New Hampshire Rules for the Education of Children with Disabilities, June 30, 2008. Approval is required prior to actual operation and may be granted for a period not to exceed five (5) years, subject to the satisfactory completion of all requirements under these regulations.

   Nonpublic School Approval is based on the NH Rules for the Approval of Nonpublic Schools (Ed 400, 2005.)

   The NHDOE Special Education Program Approval and Improvement Process collects extensive data about various aspects of policies, programs and procedures related to children and youth with disabilities. For each specific section in the application, the private facility need only refer to pertinent policies and/or procedures and provide the page and line number of the policy and/or procedure (i.e. Behavior Management, Policy Manual, page 4). It is very important to submit each policy and procedure that is cited in the application.

2. **REQUIREMENTS OF APPLICATION**

   **Instructions:** In completing the self-study, private and non-district programs must provide evidence of compliance by specifying the document name, page number, and location for each particular requirement. **Copies of policies and procedures must be filed with this application.**

   Documentation of compliance with federal regulations and state rules that will be reviewed during the approval visit includes, but is not limited to:

   Ed 1114 Standards for Approval of Private Providers of Special Education and Non-LEA Programs

   Your application for program approval must specify the documentation that provides evidence of compliance for each requirement. Indicate document name, page number, location and persons responsible for each record along with other descriptive information. Under "Documentation", please show that the rule has been met. Do NOT write anything under the "C" or "NC" column. That column is for NHDOE use only.

**EXAMPLE:**

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NHDOE Special Education Program Approval Private Program Self-Study, revised February 2011 Page 1 of 11
ED 114.130 GOVERNANCE

ED 114.130 Definition

Programs.

ED 114.130 APPLICATIONS FOR APPROVAL OF PRIVATE PROVIDERS OF SPECIAL EDUCATION AND OTHER NON-LEA OPERATED PROGRAMS, INCLUDING STATE-OPERATED

PART ED 114.140 STANDARDS FOR APPROVAL OF PRIVATE PROVIDERS OF SPECIAL EDUCATION

New Hampshire Department of Education Special Education Program Approval and
§300.623 Safeguards.
(a) Each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
(b) One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information.
(c) All persons collecting or using personally identifiable information must receive training or instruction regarding the State’s policies and procedures under §300.123 and 34 CFR part 99.
(d) Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.
(e) Each private provider of special education or other non-LEA program shall have a written statement specifying its philosophy, purposes, and program orientation and describing both short and long-term aims. The statement shall identify the types of services provided and the characteristics of the children to be served by the program. The statement of purpose shall be available to the public on request.
(f) A private provider of special education or other non-LEA program shall maintain on permanent file a written description of the admission process, including a description of all admissions criteria and identification of the disabilities of the children served by the program.
(g) A private provider of special education or other non-LEA program shall maintain on permanent file a written plan for professional development of all staff involved in providing direct services to students, in accordance with Chapter Ed 500 certification standards for educational personnel in New Hampshire.

Chapter Ed 500 Certification Standards For Educational Personnel

Ed 1114.05 PROGRAM REQUIREMENTS

(a) Each private provider of special education or other non-LEA program shall have a written description of admissions policies and criteria which it shall provide to all placing agencies and shall make available to the parent of any child referred for placement.

(b) The written admission policies and criteria required in (a) above shall include:
(1) Policies and procedures related to intake;
(2) The age and sex of children in care;
(3) The needs, problems, situations, or patterns best addressed by the program;
(4) Any other criteria for admission;
(5) Criteria for discharge; and
(6) Any preplacement requirements for the child, the parent, and/or the placing agency.

(c) Prior to enrollment, the sending LEA shall send a copy of the child’s IEP that meets all the requirements of Ed 1109 to each private provider of special education or other non-LEA program.

(d) A private provider of special education or other non-LEA program shall cooperate with the LEA by making staff available to participate in IEP meetings at mutually agreeable times and places.

(e) The private provider of special education or other non-LEA program shall not unilaterally modify a child’s IEP.

(f) The private provider of special education or other non-LEA program shall not accept any student with disabilities for which the program is not approved.

(g) In each private provider of special education or other non-LEA program, all children with disabilities shall have access to equal educational opportunities within their programs and access to and ability to progress in the general curriculum as required under 34 CFR 300.320.

§300.320 – See Ed 1109(a)(1)

(h) A private provider of special education or other non-LEA program shall have 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. All staff members involved in providing direct services to a child with a disability shall participate 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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<td>800.7(a)</td>
<td>(b) The student's evaluation must be based on appropriate achievement and functional behavior assessments that are predictive of success in the general education program.</td>
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<td>(c) The placement decision must be based on appropriate individualized assessment data.</td>
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<td>(d) The child must receive special services in the general education environment or special classes or special school facilities to realize maximum benefits.</td>
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**PROGRAMS IN THE IMPLEMENTATION OF IEP**

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**RESOLUTIONS OF PROVIDERS OF PRIVATE EDUCATION OR OTHER NON-LEA**

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**CASE STUDY APPLICATION MATERIALS FOR PRIVATE PROGRAMS**

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<td>(b) The provider of private education or other non-LEA program shall provide information to the parent or guardian of the child.</td>
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(h) A mid-year review and annual evaluation of each child’s progress relative to the written IEP shall be conducted by the sending LEA and the private provider of special education or other non-LEA program.

(i) If a private provider of special education or other non-LEA program determines that any child with a disability placed at the facility or program is not making progress toward meeting his or her IEP goals at the rate anticipated, the facility or program shall immediately contact the LEA for the purpose of reviewing the IEP and considering modifications.

(j) Each private provider of special education or other non-LEA program shall complete a minimum of 3 comprehensive reports per year on each child with a disability enrolled in the program.

(k) The reports required in Ed 1114.06 (g) shall:
   (1) Describe the child’s progress toward meeting the IEP goals;
   (2) Include a record of attendance;
   (3) Be written in terminology understandable to the parent; and
   (4) Be provided to the sending LEA and the parent of the child.

(l) Reports provided to parents shall be in the native language or other mode of communication used by the parent.

**Ed 1114.07 BEHAVIORAL INTERVENTIONS**

(a) Positive behavioral interventions based on the results of a behavioral assessment shall serve as the foundation of any program used to address the behavioral needs of students.

(b) Each private provider of special education or other non-LEA program shall have a written statement of the policies and procedures followed by the program in managing student behavior. This statement shall be provided to the sending LEA and the parent at the time each child with a disability becomes enrolled in the program, at the time of the annual review of the child’s educational progress, and any time the facility or non-district program’s policies and procedures for managing behavior are revised.

(c) A private provider of special education or other non-LEA program shall not employ any measure which is aversive or depriving in nature or which subjects a child with a disability enrolled in that program to humiliation or unsupervised confinement or to abuse or neglect as defined in RSA 169-C, the Child Protection Act, or which deprives the child of basic necessities such as nutrition, clothing, communication, or contact with parents, so as to endanger the child’s mental, emotional, or physical health consistent with Ed 1114.07.

**RSA 169-C Child Protection Act**

(d) Each private provider of special education or other non-LEA program shall train staff in child management techniques. The program shall administer discipline equitably and with respect and courtesy towards the child.

(e) Each private provider of special education or other non-LEA program shall have a written procedure based on state and federal law concerning the reporting of suspected instances of child abuse.

(f) An LEA, other public agency, private provider of special education or other non-LEA program shall not employ any aversive behavioral interventions;

(g) Aversive and deprivation behavioral interventions shall include:
   (1) Any procedure intended to cause physical pain;
   (2) Aversive mists, noxious odors, and unpleasant tastes applied by spray or other means to cause an aversive physical sensation;
   (3) Any non-medical mechanical restraint that physically restricts a student’s movement;
   (4) Contingent food/drink programs;
   (5) Electrical stimulation;
   (6) Placement of a child in an unsupervised or unobserved room from which the child cannot exit without assistance; and
   (7) Physical restraint, unless in response to a threat of imminent, serious, physical harm.

**Ed 1114.08 EMERGENCY INTERVENTION PROCEDURES**

All crisis or emergency intervention procedures that include restrictive behavioral interventions shall be included in the student’s IEP and shall comply with Ed 1114.07 except as detailed in Ed 1114.09.
(f) Each private provider of special education or other non-LEA program shall complete a background investigation and a criminal history records check on every selected applicant prior to employment consistent with Ed 1114.11.

(g) Each private provider of special education or other non-LEA program which offers swimming or other water activities in its program shall provide a qualified water safety instructor or senior lifesaver to be on duty whenever children with disabilities are in the swimming program or other water activity.

**Ed 1141.11 EMPLOYEE AND VOLUNTEER BACKGROUND INVESTIGATIONS**

(a) Each private provider of special education or other non-LEA program, including any individual providing direct services to the student pursuant to Ed 1126.05, shall complete a background investigation, consistent with the provisions of RSA 189:13-a, prior to a final offer of employment.

**RSA 189:13-a School Employee And Volunteer Background Investigations Appendix A**

**Ed 1114.12 CHANGE IN PLACEMENT OR TERMINATION OF THE ENROLLMENT OF A CHILD WITH A DISABILITY**

(a) A private provider of special education or other non-LEA program which believes it can no longer implement a child’s IEP or provide FAPE shall immediately convene or request the convening of the IEP team to review the facility’s or program’s concerns and to amend the IEP and placement, if necessary.

(b) An IEP meeting convened under Ed 1114.12 shall:
   1. Review the child’s needs;
   2. Determine whether the current IEP meets the needs of the child and, if appropriate, propose changes to the IEP;
   3. Review the child’s current placement; and
   4. Determine whether the placement can fully implement the child’s IEP and provide FAPE.

(c) If the IEP team determines that the current placement cannot implement the IEP and provide FAPE, the LEA shall immediately place the child in an approved facility or program which can implement the IEP and provide FAPE.

(d) If a private provider of special education or other non-LEA program wishes to suspend or expel a child, it shall immediately inform the LEA. The LEA shall comply with the disciplinary procedures in 34 CFR 300.530-34 CFR 300.536.

**§300.530 – 300.536 – see Ed 1124.01 Disciplinary Procedures. Page #172**

**Ed 1114.13 PARENT ACCESS TO EDUCATION RECORDS**

Each private provider of special education or other non-LEA program shall ensure that all parents of children with disabilities have an opportunity to inspect and review all education records relating to the child, in accordance 34 CFR 300.501.
Ed 306.07 School Facilities.
The local school board shall:
(a) Require that the facilities for each school provide the following:
(1) Consistent with RSA 189:24, a clean, healthy, and safe learning environment for all areas of the school building, grounds, and school-related activities
(2) Lighting in compliance with the state building code as provided in RSA 155-A; and
(3) Exhaust and outdoor air ventilation, proper temperature and humidity conditions in compliance with the state building code as provided in RSA 155-A.
(b) With regard to school facilities:
(1) Customize classrooms and other school-related environments to the needs of different content areas;
(2) Provide for accessibility of students with disabilities;
(4) Document compliance with regulations relating to school building, sanitation, sewage disposal, water supply, and other matter affecting public health.

Saf-C 6000 – STATE FIRE CODE
Ed 403.01(c) The applicant shall comply with applicable state, local and federal fire and health requirements and shall provide documentation from federal, state and/or local officials for such compliance. (see (c) above)

Appendix A
(d) Each private provider of special education or other non-LEA program shall have written procedures to protect children from hazards such as:
   (1) The presence of asbestos;
   (2) The presence of lead paint;
   (3) Storage of hazardous materials;
   (4) Garbage disposal;
   (5) Vermin infestation;
   (6) Storage of food;
   (7) Storage of medicines; and
   (8) Any unsafe access to electrical, plumbing, and heating systems.

(e) A private facility or other non-LEA program shall have a policy that ensures that bathrooms, classrooms, and other areas where children spend time at the facility, are regularly cleaned to maintain health and sanitation.

(f) A private provider of special education or other non-LEA program shall have securely locked storage spaces for all harmful, poisonous, or toxic materials that shall not be used for any other purpose. Keys to locked storage spaces shall be available only to authorized staff members.

(g) Fences at a private provider of special education or other non-LEA program shall be in good repair.

(h) Hazardous areas at a private provider of special education or other non-LEA program, such as steep grades, cliffs, open pits, swimming pools, high voltage boosters, or high speed roads, shall be fenced off or have natural barriers to protect children.

(i) Playground equipment at a private provider of special education or other non-LEA program shall be so located, installed, and maintained as to ensure the safety of children.

Ed 1114.17 CHILD CARE
(a) The day care and residential components of all private providers of special education or other non-LEA programs shall meet all applicable federal, state, and local rules governing the day and residential care of children with disabilities.

(b) Each private provider of special education or other non-LEA program shall be responsible for the total care of any child with a disability who resides at the program. The program shall attend to the physical and emotional health of resident children. The program shall provide resident children with regular nutritious meals, opportunities for proper exercise, age appropriate recreational activities, and opportunities for positive social encounters.

(c) Each private provider of special education or other non-LEA program shall provide properly qualified, trained, and supervised child care workers to staff day and residential programs.
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<td>(a) Each private provider of special education or other non-LEA program shall include in the program's description the learning standards and curriculum that will be taught to children with disabilities during the program.</td>
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<td>(b) Each private provider of special education or other non-LEA program shall ensure that children with disabilities receive appropriate medical care and attention while participating in the program.</td>
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<td>(c) Each private provider of special education or other non-LEA program shall maintain written policies and procedures for the administration of medication and provide storage space for prescription drugs which shall be accessible to persons authorized to dispense them.</td>
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### Ed 1114.19 INSURANCE COVERAGE

(a) Each private provider of special education or other non-LEA program shall carry, for the protection of children in care, comprehensive liability insurance in compliance with Ed 1129.08(a). |
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### Ed 1114.20 PHOTOGRAPHY AND AUDIO-VIDEO RECORDING

(a) Each private provider of special education or other non-LEA program shall have written policies and procedures regarding the photographing and audio or video recordings of children in care. |
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### Ed 1114.21 EMERGENCY PLANNING AND PREPAREDNESS

(a) Each private provider of special education or other non-LEA program shall have written policies and procedures for the evacuation of buildings. |
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(b) At least quarterly each private provider of special education or other non-LEA program shall conduct emergency drills which shall include actual evacuation of children to safe areas. The program shall ensure that all personnel on all shifts are trained to perform assigned tasks during emergencies and ensure that all personnel on all shifts are familiar with the use of the fire-fighting equipment available at the program.

(c) The following conditions shall apply to each such emergency drill:
   (1) A record of such emergency drills shall be maintained;
   (2) All persons in the building shall participate in emergency drills;
   (3) Emergency drills shall be held at unexpected times and under varying conditions to prepare children for evacuation in case of fire or other emergencies;
   (4) The program shall make provisions to ensure that all children with disabilities are evacuated safely; and
   (5) The program shall establish procedures to help children with disabilities understand the nature of such drills.

(d) Each private provider of special education or other non-LEA program with residential components shall maintain an active safety program, including investigation of all accidents and recommendations for prevention.

**Ed 1114.22 PROTECTIONS AFFORDED TO CHILDREN WITH DISABILITIES**

A child placed by an LEA in an approved private provider of special education or other non-LEA program shall be afforded all the rights of a child with a disability who is served by a public agency as provided in 34 CFR 300.146.

**§300.146 Responsibility of SEA.**

Each SEA must ensure that a child with a disability who is placed in or referred to a private school or facility by a public agency—

(a) Is provided special education and related services—
   (1) In conformance with an IEP that meets the requirements of §§300.320 through 300.325; and
   (2) At no cost to the parents;

(b) Is provided an education that meets the standards that apply to education provided by the SEA and LEAs including the requirements of this part, except for §300.18 and §300.156(c); and

(c) Has all of the rights of a child with a disability who is served by a public agency.
PRIVATE SCHOOL SELF-STUDY

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| Ed.1114.05  | DOCUMENTATION (a) Each private provider of special education or other non-LEA program shall demonstrate fiscal accountability through regular recording of its finances and an annual external audit consistent with the requirements detailed in Ed.1.29. (b) The audit standards detailed in Ed.1.29 shall apply to both non-profit and for-profit programs. (c) Each private provider of special education or other non-LEA program shall have written policies and procedures for the protection of confidential information, in accordance with Ed.1119.
§300.623 Safeguards.
(a) Each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
(b) One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information.
(c) All persons collecting or using personally identifiable information must receive training or instruction regarding the State's policies and procedures under §300.123 and 34 CFR part 99.
(d) Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

(e) Each private provider of special education or other non-LEA program shall have a written statement specifying its philosophy, purposes, and program orientation and describing both short and long-term aims. The statement shall identify the types of services provided and the characteristics of the children to be served by the program. The statement of purpose shall be available to the public on request.

(f) A private provider of special education or other non-LEA program shall maintain an permanent file a written description of the admission process, including a description of all admissions criteria and identification of the disabilities of the children served by the program.

(g) A private provider of special education or other non-LEA program shall maintain on permanent file a written plan for professional development of all staff involved in providing direct services to students, in accordance with Chapter Ed 500 certification standards for educational personnel in New Hampshire.

Chapter Ed 500 Certification Standards For Educational Personnel

Appendix A

Ed 1114.05 PROGRAM REQUIREMENTS

(a) Each private provider of special education or other non-LEA program shall have a written description of admissions policies and criteria which it shall provide to all placing agencies and shall make available to the parent of any child referred for placement.

(b) The written admission policies and criteria required in (a) above shall include:
   (1) Policies and procedures related to intake;
   (2) The age and sex of children in care;
   (3) The needs, problems, situations, or patterns best addressed by the program;
   (4) Any other criteria for admission;
   (5) Criteria for discharge; and
   (6) Any preplacement requirements for the child, the parent, and/or the placing agency.

(c) Prior to enrollment, the sending LEA shall send a copy of the child's IEP that meets all the requirements of Ed 1109 to each private provider of special education or other non-LEA program.

(d) A private provider of special education or other non-LEA program shall cooperate with the LEA by making staff available to participate in IEP meetings at mutually agreeable times and places.

(e) The private provider of special education or other non-LEA program shall not unilaterally modify a child's IEP.

(f) The private provider of special education or other non-LEA program shall not accept any student with disabilities for which the program is not approved.

(g) In each private provider of special education or other non-LEA program, all children with disabilities shall have access to equal educational opportunities within their programs and access to and ability to progress in the general curriculum as required under 34 CFR 300.320.

§300.320 – See Ed 1109(a)(1)

(h) A private provider of special education or other non-LEA program shall have 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. All staff members involved in providing direct services to a child with a disability shall participate 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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<tr>
<th>DOCUMENTATION</th>
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<td>RSA 19-C: Statewide Education Improvement Program</td>
<td>Statewide Education Improvement and Assessment Program</td>
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| §300.57 Performance goals and indicators | The State must:
| (1) Have in effect established goals for the performance of children with disabilities in the State that are consistent with the purposes of this part and the requirements of §300.111. | RSA 19-C: Statewide Education Improvement and Assessment Program |
| (2) Have in effect established performance indicators that the State will use to assess progress toward achieving the goals described in paragraph (1) of this section, including measurable annual objectives for progress by children with disabilities under section 1111(b)(2)(C) of the ESEA, 20 U.S.C. 6311, and §300.320 - Not Part Ed.1109(0)(1) |
| §300.320 - Not Part Ed.1109(0)(1) | Ed.1109.06 RESPONSIBILITIES OF PRIVATE PROVIDERS OF SPECIAL EDUCATION OR OTHER NON-LEA |
| (1) Each private provider of special education or other non-LEA program shall, in all matters concerning possible changes and/or modifications in the identification, evaluation, development and/or revision of an IEP, or changes in placement of a child with a disability, contact the school district for the purpose of initiating the process for changing any of the above in compliance with Ed.1109.05 |
| (2) The private provider of special education or other LEA program shall provide all transportation required for the implementation of any IEP, or portion of any IEP, which the program has agreed to implement. | Ed.1109.06 RESPONSIBILITIES OF PRIVATE PROVIDERS OF SPECIAL EDUCATION OR OTHER NON-LEA |
| (3) Each private facility or other non-LEA program shall provide transportation in accordance with Ed.1109.02. | Ed.1109.06 RESPONSIBILITIES OF PRIVATE PROVIDERS OF SPECIAL EDUCATION OR OTHER NON-LEA |
| (4) Each private provider of special education or other LEA program shall provide transportation in accordance with Ed.1109.02. | Ed.1109.06 RESPONSIBILITIES OF PRIVATE PROVIDERS OF SPECIAL EDUCATION OR OTHER NON-LEA |
| (5) Each private provider of special education or other LEA program shall provide transportation in accordance with Ed.1109.02. | Ed.1109.06 RESPONSIBILITIES OF PRIVATE PROVIDERS OF SPECIAL EDUCATION OR OTHER NON-LEA |
| (6) Each private provider of special education or other LEA program shall provide transportation in accordance with Ed.1109.02. | Ed.1109.06 RESPONSIBILITIES OF PRIVATE PROVIDERS OF SPECIAL EDUCATION OR OTHER NON-LEA |
(h) A mid-year review and annual evaluation of each child’s progress relative to the written IEP shall be conducted by the sending LEA and the private provider of special education or other non-LEA program.

(i) If a private provider of special education or other non-LEA program determines that any child with a disability placed at the facility or program is not making progress toward meeting his or her IEP goals at the rate anticipated, the facility or program shall immediately contact the LEA for the purpose of reviewing the IEP and considering modifications.

(j) Each private provider of special education or other non-LEA program shall complete a minimum of 3 comprehensive reports per year on each child with a disability enrolled in the program.

(k) The reports required in Ed 1114.06 (g) shall:
   (1) Describe the child’s progress toward meeting the IEP goals;
   (2) Include a record of attendance;
   (3) Be written in terminology understandable to the parent; and
   (4) Be provided to the sending LEA and the parent of the child.

(l) Reports provided to parents shall be in the native language or other mode of communication used by the parent.

**Ed 1114.07 BEHAVIORAL INTERVENTIONS**

(a) Positive behavioral interventions based on the results of a behavioral assessment shall serve as the foundation of any program used to address the behavioral needs of students.

(b) Each private provider of special education or other non-LEA program shall have a written statement of the policies and procedures followed by the program in managing student behavior. This statement shall be provided to the sending LEA and the parent at the time each child with a disability becomes enrolled in the program, at the time of the annual review of the child’s educational progress, and any time the facility or non-district program’s policies and procedures for managing behavior are revised.

(c) A private provider of special education or other non-LEA program shall not employ any measure which is aversive or depriving in nature or which subjects a child with a disability enrolled in that program to humiliation or unsupervised confinement or to abuse or neglect as defined in RSA 169-C, the Child Protection Act, or which deprives the child of basic necessities such as nutrition, clothing, communication, or contact with parents, so as to endanger the child’s mental, emotional, or physical health consistent with Ed 1114.07.

**RSA 169-C Child Protection Act**

(d) Each private provider of special education or other non-LEA program shall train staff in child management techniques. The program shall administer discipline equitably and with respect and courtesy towards the child.

(e) Each private provider of special education or other non-LEA program shall have a written procedure based on state and federal law concerning the reporting of suspected instances of child abuse.

(f) An LEA, other public agency, private provider of special education or other non-LEA program shall not employ any aversive behavioral interventions;

(g) Aversive and deprivation behavioral interventions shall include:
   (1) Any procedure intended to cause physical pain;
   (2) Aversive mists, noxious odors, and unpleasant tastes applied by spray or other means to cause an aversive physical sensation;
   (3) Any non-medical mechanical restraint that physically restricts a student’s movement;
   (4) Contingent food/drink programs;
   (5) Electrical stimulation;
   (6) Placement of a child in an unsupervised or unobserved room from which the child cannot exit without assistance; and
   (7) Physical restraint, unless in response to a threat of imminent, serious, physical harm.

**Ed 1114.08 EMERGENCY INTERVENTION PROCEDURES**

All crisis or emergency intervention procedures that include restrictive behavioral interventions shall be included in the student’s IEP and shall comply with Ed 1114.07 except as detailed in Ed 1114.09.
APPENDIX A

Chapter 5.00 Certification Standards for Education Personnel

Section 5.00.1 Certification of New Hampshire Teachers

The purpose of this chapter is to establish the standards for certification of education personnel in New Hampshire. The standards are designed to ensure that all education personnel are qualified to perform their duties effectively and to contribute to the educational success of all students.

The standards require that all education personnel hold a current, valid certificate issued by the New Hampshire Department of Education. The certificate must be based on the completion of an approved teacher preparation program and the successful completion of a comprehensive examination of knowledge and skills necessary for the effective performance of the duties of the position.

In addition, all education personnel must maintain their certification by participating in ongoing professional development activities and by complying with the provisions of this chapter.

Section 5.00.2 Certification of New Hampshire Administrators

The purpose of this chapter is to establish the standards for certification of education administrators in New Hampshire. The standards are designed to ensure that all education administrators are qualified to perform their duties effectively and to contribute to the educational success of all students.

The standards require that all education administrators hold a current, valid certificate issued by the New Hampshire Department of Education. The certificate must be based on the completion of an approved administrative preparation program and the successful completion of a comprehensive examination of knowledge and skills necessary for the effective performance of the duties of the position.

In addition, all education administrators must maintain their certification by participating in ongoing professional development activities and by complying with the provisions of this chapter.

Section 5.00.3 Certification of New Hampshire School Personnel

The purpose of this chapter is to establish the standards for certification of school personnel in New Hampshire. The standards are designed to ensure that all school personnel are qualified to perform their duties effectively and to contribute to the educational success of all students.

The standards require that all school personnel hold a current, valid certificate issued by the New Hampshire Department of Education. The certificate must be based on the completion of an approved preparation program and the successful completion of a comprehensive examination of knowledge and skills necessary for the effective performance of the duties of the position.

In addition, all school personnel must maintain their certification by participating in ongoing professional development activities and by complying with the provisions of this chapter.
(f) Each private provider of special education or other non-LEA program shall complete a background investigation and a criminal history records check on every selected applicant prior to employment consistent with Ed 1114.11.

(g) Each private provider of special education or other non-LEA program which offers swimming or other water activities in its program shall provide a qualified water safety instructor or senior lifesaver to be on duty whenever children with disabilities are in the swimming program or other water activity.

**Ed 1141.11 EMPLOYEE AND VOLUNTEER BACKGROUND INVESTIGATIONS**

(a) Each private provider of special education or other non-LEA program, including any individual providing direct services to the student pursuant to Ed 1126.05, shall complete a background investigation, consistent with the provisions of RSA 189:13-a, prior to a final offer of employment.

**RSA 189:13-a School Employee And Volunteer Background Investigations**

**Ed 1114.12 CHANGE IN PLACEMENT OR TERMINATION OF THE ENROLLMENT OF A CHILD WITH A DISABILITY**

(a) A private provider of special education or other non-LEA program which believes it can no longer implement a child’s IEP or provide FAPE shall immediately convene or request the convening of the IEP team to review the facility’s or program’s concerns and to amend the IEP and placement, if necessary.

(b) An IEP meeting convened under Ed 1114.12 shall:
   (1) Review the child’s needs;
   (2) Determine whether the current IEP meets the needs of the child and, if appropriate, propose changes to the IEP;
   (3) Review the child’s current placement; and
   (4) Determine whether the placement can fully implement the child’s IEP and provide FAPE.

(c) If the IEP team determines that the current placement cannot implement the IEP and provide FAPE, the LEA shall immediately place the child in an approved facility or program which can implement the IEP and provide FAPE.

(d) If a private provider of special education or other non-LEA program wishes to suspend or expel a child, it shall immediately inform the LEA. The LEA shall comply with the disciplinary procedures in 34 CFR 300.530-34 CFR 300.536.

§300.530 – 300.536 – see Ed 1124.01 Disciplinary Procedures. Page #172

**Ed 1114.13 PARENT ACCESS TO EDUCATION RECORDS**

Each private provider of special education or other non-LEA program shall ensure that all parents of children with disabilities have an opportunity to inspect and review all education records relating to the child, in accordance 34 CFR 300.501.
**New Hampshire Department of Education Special Education Program Approval and Improvement Process**

**CASE STUDY APPLICATION MATERIALS FOR PRIVATE PROGRAMS**

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**Ed 306.07 School Facilities.**

The local school board shall:

1. **Require that the facilities for each school provide the following:**
   - Consistent with RSA 189:24, a clean, healthy, and safe learning environment for all areas of the school building, grounds, and school-related activities.
   - Lighting in compliance with the state building code as provided in RSA 155-A; and
   - Exhaust and outdoor air ventilation, proper temperature and humidity conditions in compliance with the state building code as provided in RSA 155-A.

2. **With regard to school facilities:**
   - Customize classrooms and other school-related environments to the needs of different content areas;
   - Provide for accessibility of students with disabilities;
   - Document compliance with regulations relating to school building, sanitation, sewage disposal, water supply, and other matter affecting public health.

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**Saf-C 6000 – STATE FIRE CODE**

**Ed 403.01(c) The applicant shall comply with applicable state, local and federal fire and health requirements and shall provide documentation from federal, state and/or local officials for such compliance. (see (c) above)**

### Appendix A

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<tr>
<th>(d) Each private provider of special education or other non-LEA program shall have written procedures to protect children from hazards such as:</th>
<th>DOCUMENTATION</th>
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<tr>
<td>1. The presence of asbestos;</td>
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<td>2. The presence of lead paint;</td>
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<td>3. Storage of hazardous materials;</td>
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<td>4. Garbage disposal;</td>
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<td>5. Vermin infestation;</td>
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<td>6. Storage of food;</td>
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<td>7. Storage of medicines; and</td>
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<td>8. Any unsafe access to electrical, plumbing, and heating systems.</td>
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| (e) A private facility or other non-LEA program shall have a policy that ensures that bathrooms, classrooms, and other areas where children spend time at the facility, are regularly cleaned to maintain health and sanitation. | | |

| (f) A private provider of special education or other non-LEA program shall have securely locked storage spaces for all harmful, poisonous, or toxic materials that shall not be used for any other purpose. Keys to locked storage spaces shall be available only to authorized staff members. | | |

| (g) Fences at a private provider of special education or other non-LEA program shall be in good repair. | | |

| (h) Hazardous areas at a private provider of special education or other non-LEA program, such as steep grades, cliffs, open pits, swimming pools, high voltage boosters, or high speed roads, shall be fenced off or have natural barriers to protect children. | | |

| (i) Playground equipment at a private provider of special education or other non-LEA program shall be so located, installed, and maintained as to ensure the safety of children. | | |

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**Ed 1114.17 CHILD CARE**

1. **The day care and residential components of all private providers of special education or other non-LEA programs shall meet all applicable federal, state, and local rules governing the day and residential care of children with disabilities.**

2. **Each private provider of special education or other non-LEA program shall be responsible for the total care of any child with a disability who resides at the program. The program shall attend to the physical and emotional health of resident children. The program shall provide resident children with regular nutritious meals, opportunities for proper exercise, age appropriate recreational activities, and opportunities for positive social encounters.**

3. **Each private provider of special education or other non-LEA program shall provide properly qualified, trained, and supervised child care workers to staff day and residential programs.**
<table>
<thead>
<tr>
<th>Ed 1114.18 HEALTH AND MEDICAL CARE</th>
<th>Ed 1114.19 INSURANCE COVERAGE</th>
<th>Ed 1114.20 PHOTOGRAPHY AND AUDIO-VISUAL RECORDERING</th>
<th>Ed 1114.21 EMERGENCY PLANNING AND PREPAREDNESS</th>
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<tr>
<td>(a) Each private provider of special education or other non-LEA program shall have written procedures to ensure that children with disabilities receive prompt and competent medical care.</td>
<td>(a) Each private provider of special education or other non-LEA program shall have formalized written policies and procedures regarding the use and administration of medicine to children in compliance with state laws and regulations. Medications shall be dispensed only under medical order.</td>
<td>(a) Each private provider of special education or other non-LEA program shall have written policies and procedures regarding the photography and audio-visual recordings of children in care.</td>
<td>(a) The written consent of the child's parent shall be obtained before the child is photographed or recorded.</td>
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<td>(b) Each private provider of special education or other non-LEA program shall maintain locked storage space for prescription drugs which shall only be accessible to persons authorized to dispense them.</td>
<td>(b) In the case of the death of a child, a private provider of special education or other non-LEA program shall immediately notify the child's parent(s), the sending LEA, the non-LEA program, and any other appropriate agencies.</td>
<td>(b) The written consent of the child's parent shall be obtained before the child is photographed or recorded.</td>
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<td>(c) Each private provider of special education or other non-LEA program shall have written procedures to ensure the availability of CPR training for all program staff.</td>
<td>(c) Each private provider of special education or other non-LEA program shall have written procedures to ensure the availability of medications to children in case of emergency.</td>
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<td>(d) Each private provider of special education or other non-LEA program shall maintain in writing the names, addresses, telephone numbers, and emergency contacts of all children enrolled in the program.</td>
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<td>(e) When a child has an illness that is contagious or poses a health threat to other children enrolled in the program, the program shall immediately notify the child's parent(s), the sending LEA, the non-LEA program, and any other appropriate agencies.</td>
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<td>(f) Each private provider of special education or other non-LEA program shall maintain the program's expense policy.</td>
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<td>(g) Each private provider of special education or other non-LEA program shall carry, for the protection of children in care and amounts as recommended by the facility or program's insurance provider, which provider shall be licensed to do business in the State of New Hampshire:</td>
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</table>
(b) At least quarterly each private provider of special education or other non-LEA program shall conduct emergency drills which shall include actual evacuation of children to safe areas. The program shall ensure that all personnel on all shifts are trained to perform assigned tasks during emergencies and ensure that all personnel on all shifts are familiar with the use of the fire-fighting equipment available at the program.

(c) The following conditions shall apply to each such emergency drill:
   (1) A record of such emergency drills shall be maintained;
   (2) All persons in the building shall participate in emergency drills;
   (3) Emergency drills shall be held at unexpected times and under varying conditions to prepare children for evacuation in case of fire or other emergencies;
   (4) The program shall make provisions to ensure that all children with disabilities are evacuated safely; and
   (5) The program shall establish procedures to help children with disabilities understand the nature of such drills.

(d) Each private provider of special education or other non-LEA program with residential components shall maintain an active safety program, including investigation of all accidents and recommendations for prevention.

Ed 1114.22 PROTECTIONS AFFORDED TO CHILDREN WITH DISABILITIES

A child placed by an LEA in an approved private provider of special education or other non-LEA program shall be afforded all the rights of a child with a disability who is served by a public agency as provided in 34 CFR 300.146.

§300.146 Responsibility of SEA.
Each SEA must ensure that a child with a disability who is placed in or referred to a private school or facility by a public agency—
(a) Is provided special education and related services—
   (1) In conformance with an IEP that meets the requirements of §§300.320 through 300.325; and
   (2) At no cost to the parents;
(b) Is provided an education that meets the standards that apply to education provided by the SEA and LEAs including the requirements of this part, except for §300.18 and §300.156(c); and
(c) Has all of the rights of a child with a disability who is served by a public agency.