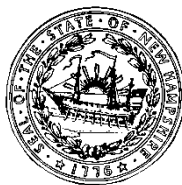


Virginia M. Barry, Ph.D.  
Commissioner of Education  
Tel. 603-271-3144



Paul K. Leather  
Deputy Commissioner of Education  
Tel. 603-271-3801

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
101 Pleasant Street  
Concord, N.H. 03301  
FAX 603-271-1953  
Citizens Services Line 1-800-339-9900**

Bureau of Special Education FY'15 Memo #18

DATE: April 1, 2015

TO: Superintendent of Schools  
Director of Special Education

FROM: Office of the Commissioner of Education

Division of Education Improvement  
Bureau of Special Education

RE: District Selection for Special Education Compliance & Improvement Monitoring

In February 2015 the New Hampshire Department of Education (NHDOE), Bureau of Special Education (Bureau) solicited input from district and community stakeholders to assist in the development of the district selection process for special education compliance and improvement monitoring. The Bureau presented three possible district selection processes; based on stakeholder input a fourth option was developed. This new process utilizes a multi-data approach rather than a single measurement tool which aligns with the Office of Special Education Programs (OSEP) differentiated monitoring approach. The Bureau will utilize this multi-data approach for districts that will be monitored during the 2015-2016 school year.

The Bureau divided districts into six cohort groups based on enrollment size with the intent of giving equal district representation to each cohort group. A district's cohort group will be determined annually based on the October 1<sup>st</sup> count of the previous year. For example, for the 2015-2016 monitoring year the October 1, 2014 count will be used.

The chart below demonstrates the groupings:

<b>Cohort</b>	<b>Enrollment Size Based on District Fall Enrollment Oct. 1st</b>
1	2,000+
2	1,200 – 1,999
3	550 – 1,199
4	370 – 549
5	135 – 369
6	0 – 134

The Cohort Groups and Enrollment Size Based on District Fall Enrollment October 1, 2014, (Appendix 1).

The Bureau has created a District Selection Rubric (Appendix 2) to outline the data collection components and their point values. The point system is designed so that meeting compliance is assigned a low point value, whereas not meeting compliance is assigned a higher point value.

From the District Determinations a point value will be assigned based on whether the district is meeting requirements, needs assistance, needs intervention or needs substantial intervention. Below are the indicators identified in the State Performance Plan (SPP) that will be assigned a point value:

Indicator	Description
4B	<p><b>Suspension/Expulsion:</b> Whether or not a district had (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. (20 U.S.C. 1416(a)(3)(A); 1412(a)(22))</p> <ul style="list-style-type: none"> <li>• Points will be assigned based on a yes or no</li> </ul>
5A	<p><b>Education Environments:</b> Percent of children with IEPs aged 6 through 21 served: Inside the regular class 80% or more of the day. (20 U.S.C.416(a)(3)(A))</p> <ul style="list-style-type: none"> <li>• Points will be assigned based on the annual targets within the SPP</li> </ul>
6A	<p><b>Preschool Environments:</b> Percent of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program. (20 U.S.C.1416(a)(3)(A))</p> <ul style="list-style-type: none"> <li>• Points will be assigned based on the annual targets within the SPP</li> </ul>
11	<p><b>Child Find:</b> Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. (20 U.S.C.1416(a)(3)(B))</p> <ul style="list-style-type: none"> <li>• Points will be assigned based on a range of compliance</li> </ul>
12	<p><b>Early Childhood Transition:</b> Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. (20 U.S.C.1416(a)(3)(B))</p> <ul style="list-style-type: none"> <li>• Points will be assigned based on a range of compliance</li> </ul>

The Bureau will also review the State special education complaints between July 1<sup>st</sup> and June 30<sup>th</sup> of the previous school year. For example, selection for monitoring during the 2015-2016 school year will review complaints from July 1, 2013 to June 30, 2014. If there are two or more special education complaints that have the same substantiated allegation, a point value will be assigned. In addition, if there is a substantiated allegation in a complaint that has not been verified as corrected within the federally mandated one year timeline, a point will be assigned.

The district receiving the highest point values in each enrollment cohort will be selected for special education compliance and improvement monitoring. Districts that have been monitored within the last five years will not be assigned point values and therefore, not considered for special education compliance and improvement monitoring. In the event of a tie within an enrollment cohort one of the districts will be chosen at random.

The Bureau will reconvene the stakeholders group at a future date to discuss the consideration of adding a data point involving the results of the State assessment as well as the alternate assessment regarding the academic performance of students with disabilities.

The special education compliance and improvement monitoring process described within this memo is just one of the general supervision activities conducted by the Bureau. The Bureau monitors districts on an annual basis for many of the indicators within the SPP as well as annually reviews districts' fiscal accountability for the use of IDEA funds. The Bureau is also responsible for ensuring that districts have policies, procedures and implementation strategies that align with and support the implementation of IDEA.

The Bureau anticipates informing districts of selection for special education compliance and improvement monitoring during the 2015-2016 school year within two weeks of the date of this memo.

Please contact Santina Thibedeau at 271-6693 for any questions regarding this selection process.

Enclosures:

Appendix 1: Cohort Groups and Enrollment Size Based on District Fall Enrollment October 1, 2014

Appendix 2: District Selection Rubric