

**NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
SPECIAL EDUCATION
PROGRAM APPROVAL VISITATION
IEP COMPLIANCE REVIEW**

**Hillsborough-Deering School District
FOCUSED MONITORING
IEP COMPLIANCE REVIEW SUMMARY REPORT
2012-2013**

**Robert Hassett, Superintendent
Patricia Parenteau, Assistant Superintendent**

Chairpersons of Visiting Team
Jen Dolloff and Ed Hendry
Education Consultants

IEP Review Visit Conducted on December 3-5, 2012
Out of District File Review Conducted on February 4, 2013
Desk Audit Reviews Conducted on December 3-6, 2013
Report Date: April 30, 2013
REVISED Report Date: July 18, 2013

IEP Compliance Review Team Members:

I. Visiting Team Members:

Jen Dolloff	Chairperson
Ed Hendry	Chairperson
Rand Lounsbury	Special Education Administrator
Jocelyn Robinson	Special Education Building Coordinator

II. Building Team Members:

Patty Parenteau	Assistant Superintendent
Monique Amitrano	Special Education Teacher
Stephanie Martin	General Education Teacher
Danielle Bond	Speech Language Pathologist
Stacey Romano	Occupational Therapist
Gail Eaton	Special Education Teacher
Steven Coouseus	Regular Education Teacher
Stacey Volquez	Alternative Program Director
Karen Ralph	Special Education Coordinator
Brian Walsh	High School English Teacher
Denise Hayes	LD Reading Specialist
Kathleen Wechsler	BCBA
Amy Highstrom	CCC-Sp
Ann Staley	Special Education Coordinator
Heather Queen	School Psychologist
Diane Hines	General Classroom Teacher
Meagn Willett	Special Education Teacher
Emily Porter	Speech-Language Pathologist
Kathleen Wechsler	Special Education Teacher/ BCBA
Sarah Shlavauck	Preschool Special Education Teacher

III. NHDOE, Bureau of Special Education Representatives:

Santina Thibedeau	State Director of Special Education
Ruth Littlefield	Education Consultant
Mary Lane	Education Consultant
Deborah Krajcik	Education Consultant
Linda Potter	Technical Assistant

Introduction:

The compliance component of the NHDOE Focused Monitoring Process includes both an internal and external review of Special Education data directly linked to compliance with state and federal Special Education rules and regulations. The review is an in depth analysis of IEPs with the participation of district IEP teams. This is intended to be a job-embedded professional development opportunity as well as a compliance review. In addition, there is a concurrent review of additional IEPs by NHDOE Special Education Bureau staff referred to as a “desk audit. Forty-one (41) IEPs (7 through the Focused Monitoring IEP Review; 34 through the Desk Audit IEP Review) were reviewed based on the IEP selection calculation described in the October 12, 2012 letter from Commissioner Virginia M. Barry. Data gathered through the various compliance activities is reported back to the school’s Achievement Team, as well as the NHDOE, Bureau of Special Education. This is for the purpose of informing both the district and the NHDOE of the status of the district’s Special Education compliance with required special education processes, as well as the review of data related to programming, progress monitoring of students with disabilities, and alignment of Special Education programming with the curriculum, instruction and assessment systems within the school district.

Data Collection Activities:

As part of the NHDOE Focused Monitoring Process a Special Education compliance review was conducted in the Hillsborough-Deering School District on December 3-5, 2012 and February 4, 2013. Listed below is the data that was reviewed as part of the compliance review, all of which are summarized in this report.

- Review of randomly selected IEPs.
- Review of LEA Focused Monitoring Compliance Application including:
 - Special Education Policy and Procedures
 - Special Education staff qualifications
 - Program descriptions
- Review of all district Special Education programming.
- Review of Out of District Files.
- When appropriate, review of student records for students with disabilities who are attending Charter Schools.
- Review of requests for approval of new programs, and/or changes to existing programs.

SUMMARY OF FINDINGS

IEP Review Process

As part of the compliance component of Focused Monitoring, the NHDOE worked in collaboration with the Hillsborough-Deering School District to conduct reviews of student IEPs. The IEP Review Process has been designed by the NHDOE to assist teams in examining the IEP for educational benefit, as well as determine compliance with state and federal Special Education rules and regulations. The review is based on the fact that the IEP is the foundation of the Special Education process.

As required by the IEP review process, general and special educators in the Hillsborough-Deering School District were provided with a collaborative opportunity to review 7 IEPs.

NHDOE Special Education Bureau conducted a desk audit of 34 IEPs that were randomly selected to determine if the documents included the following information:

- Appropriate procedures to determine eligibility for special education identification.
- Student's present level of performance.
- Measurable annual goals related to specific student needs.
- Instructional strategies, interventions, and supports identified and implemented to support progress toward measurable goals.
- Assessment (formative and summative) information gathered to develop annual goals and to measure progress toward annual goals.
- Accommodations and/or modifications determined to support student access to the general curriculum instruction and assessment.
- Evidence of progress toward key IEP goals and the documented evidence of student gains over a three-year period.
- Transition plans that have measurable postsecondary goals (for youth aged 16 and above as required by Indicator 13).
- Evidence of required documentation for preschool programming (for children ages 3-5).

The intended outcome of the IEP Review Process is not only to ensure compliance, but to also develop a plan for improved communication and collaboration between general and special educators, parents and students in the development, implementation and monitoring of IEPs.

BELOW IS THE SUMMARY OF DISTRICT LEVEL FINDINGS THAT RESULTED FROM THE IEP REVIEW PROCESS CONDUCTED IN THE Hillsborough-Deering School District:

**Building/District Summary of IEP Review Process
Conclusions/Patterns Trends Identified Through IEP Review Process:**

- Was it possible to assess the degree to which IEPs were designed to provide educational benefit (access to, participation and progress in the general curriculum)?

The teams were able to assess the degree to which all 7 IEPs reviewed during the collaborative review were designed to provide educational benefit. All seven review teams responded "yes" to this statement.

- How has this process informed future plans for improving the writing of student IEPs and ensuring the student's participation in the general education curriculum?

Staff will provide a more comprehensive overview of state, local and individual assessment data in IEP.

- Describe how individual student performance information is conveyed from grade to grade/school to school:

Transition meetings are held between buildings and between grade levels as students progress year to year. File documents provide additional information. Student binders are

used at the elementary school that includes literacy tracking sheets and other important data. These binders and this practice will move to the middle and high school levels as students move up in grade levels.

- How will the district further explore the factors that have impacted poor scores for individual students on state assessments and in the general education curriculum?

General and special education staff will ensure accommodations that are utilized during state assessments are consistently utilized in the general education setting throughout the year.

- Strengths and suggestions identified related to IEP development/progress monitoring and services:

Strengths:

Level of expertise, consistent collaboration, recognition of student potential, Leadership, IEPs clearly reflect student strengths and weaknesses, the special education practices appear well established and consistently documented, Special Education Department displays a strong culture of continuous improvement, culture and climate of professionalism and collegiality, the use of a writing rubric to provide baseline and goal, the homeless liaison (F.I.T.) provides needed support for students living in transitional situations, district support for the Alternative Program and the Preschool Program is notable, Preschool and Alternative Teams are cohesive and knowledgeable,

Suggestions:

Ensure accommodations are used in classroom, not only during statewide tests, consider prioritizing and narrowing the number of accommodations on IEPs, the leadership team is considering providing additional professional development in the area of hearing loss and student performance, continue to encourage collaboration between the High School and the Alternative School.

Consider prioritizing and crosschecking district forms to ensure consistency in language and policy. Several forms are repetitive and others use different language to convey the same or similar decisions.

District Wide Commendations:

The Special Education Leadership Team is commended for providing special services staff and building level administrators with support and guidance in the complex and challenging special education process, while also displaying strong advocacy for students.

LEA Focused Monitoring Compliance Application:

As part of the Focused Monitoring data collection activities, the LEA Plan, which includes Special Education policies and procedures, was reviewed. In addition, personnel rosters were submitted to verify that staff providing services outlined in IEPs are qualified for the positions they hold. Also, program descriptions were reviewed and verified, along with follow up and review of any newly developed programs or changes to existing approved Special Education programs.

The LEA Plan, staff rosters, and program descriptions were all in order and meeting state requirements.

Out of District File Review:

Based on the review of 1 file for a child with disabilities placed out of district, there were no Findings of Noncompliance.

Students with Disabilities Attending Charter Schools:

There are no students with disabilities attending charter schools in the Hillsborough-Deering School District.

Requests for Approval of New Programs and/or Changes to Existing Programs:

As part to the Focused Monitoring Compliance Component, the NHDOE reviews all requests for new programs in the district, and/or requests for changes to existing programs. As such, the NHDOE worked with the Hillsborough-Deering School District in the review of the following changes to existing approved programs:

No requests for new or changed programs have been submitted at this time.

Building/District Summary of IEP Review, Out-of-District File and Charter School Review Process

	Focused Monitoring	NHDOE Desk Audit
Preschool	1	3
Elementary School	2	15
Middle School	1	7
High School	2	9
Charter School		
Out-of-District	1	
Total Number of IEPs Reviewed	7	34

FINDINGS OF NONCOMPLIANCE IDENTIFIED AS A RESULT OF THE NHDOE COMPLIANCE AND IEP REVIEW VISIT:

As a result of the 7 IEPs that were selected for the **Focused Monitoring IEP Review** on December 3-5, 2012 and February 4, 2013 the following Findings of Noncompliance were identified:

Systemic Findings of Noncompliance

Systemic Findings of Non-compliance are defined as systemic deficiencies that have been identified through the IEP Review Process, which are in violation of state and federal special education rules and regulations. The NHDOE, Bureau of Special Education, requires that all Systemic Findings of Non-compliance be corrected as soon as possible, but no later than one year from the report date.

No systemic findings of noncompliance were noted during the Focused Monitoring IEP Review visit.

Child Specific Findings of Noncompliance

Please Note: *The NH Department of Education, Bureau of Special Education requires that Child Specific Findings of Noncompliance be addressed and resolved within 45 days of notification*

Based on visits to each of these programs it was determined that three IEPs contained student specific findings of Noncompliance.

- 1. Ed 1109.01 (a)(1) Elements of an Individualized Education Program; 34 CFR 300.320 (a)(2)(i) Definition of individualized education program**
Finding: 1 IEP lacked evidence of statements of measurable annual goals.

As a result of the 34 IEPs that were selected for the **NHDOE Desk Audit IEP Review** on December 3-6, 2013 the following Findings of Noncompliance were identified:

Systemic Findings of Noncompliance

Systemic Findings of Non-compliance are defined as systemic deficiencies that have been identified through the IEP Review Process, which are in violation of state and federal special education rules and regulations. The NHDOE, Bureau of Special Education, requires that all Systemic Findings of Non-compliance be corrected as soon as possible, but no later than one year from the report date.

No systemic findings of noncompliance were noted during the Desk Audit IEP Review.

Child Specific Findings of Noncompliance

Please Note: *The NH Department of Education, Bureau of Special Education requires that Child Specific Findings of Noncompliance be addressed and resolved within 45 days of notification.*

- 1. Ed 1108.01 (b)(1) Determination of Eligibility; 34 CFR 300.306 (a)(1) Determination of eligibility**
Finding: 1 IEP lacked evidence of appropriate IEP team composition. There was no evidence of a teacher certified in the area of suspected disability.
- 2. Ed 1107.01 (a) Evaluation; 34 CFR 300.304 (b)(1)(ii) Evaluation procedures**
Finding: 3 IEPs did not have evidence of the use of a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child that may assist in determining the content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum.

- 3. Ed 1109.01 (a)(1) Elements of an Individualized Education Program; 34 CFR 300.320 (a)(2)(i) Definition of individualized education program**
Finding: 8 IEPs lacked evidence of statements of measurable annual goals.
- 4. Ed 1103.01 (a) IEP Team; 34 CFR 300.321 (a)(2) IEP Team**
Finding: 3 IEPs lacked evidence that the IEP team included not less than one regular education teacher of the child in the development of the IEP.
- 5. Ed 1103.01 (a) IEP Team; 34 CFR 300.321 (a)(3) IEP Team**
Finding: 1 IEP lacked evidence that the IEP team included not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child in the development of the IEP.
- 6. Ed 1103.01 (a) IEP Team; 34 CFR 300.321 (a)(4) IEP Team**
Finding: 1 IEPs lacked evidence that the IEP team included a representative of the public agency (LEA) in the development of the IEP.
- 7. Ed 1109.01 (a)(10) Elements of an Individualized Education Program**
Finding: 2 IEPs lacked evidence of a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study such as participation in advanced-placement courses or a vocational education for each student with a disability beginning at age 14 or younger, if determined appropriate by the IEP team.
- 8. Ed 1109.01 (a)(1) Elements of an Individualized Education Program; 34 CFR 300.320 (a)(4) Definition of individualized education program**
Finding: 2 IEPs indicated that modifications were necessary. The IEPs lacked evidence of statements of program modifications.
- 9. Ed 1102.03 (v) Definitions H-M**
Finding: 2 IEPs listed modifications, which do not impact rigor and validity or rigor or validity of the subject matter being taught or assessed. The teams indicated that modifications were necessary.
- 10. Ed 1109.01 (a)(1) Elements of an Individualized Education Program; 34 CRF 300.320 (a)(5) Definition of individualized education program**
Finding: 4 IEPs lacked evidence of an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class.