

**New Hampshire
Department of Education
Bureau of Special Education**

**SPECIAL EDUCATION COMPLIANCE
IMPROVEMENT MONITORING REVIEW
REPORT**

**Manchester School District
2014-2015**

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Compliance Improvement Monitoring Visit
Conducted on October 17 & 20, 2014
Report Date: December 19, 2014

Overview of the Special Education Monitoring Process

New Hampshire has a responsibility, under federal law, to have a system of general supervision that monitors the implementation of the Individuals with Disabilities Education Act (IDEA) by school districts. The general supervision system is accountable for enforcing IDEA and the New Hampshire Rules for the Education of Children with Disabilities and for ensuring continuous improvement. As stated in section 616 of 2004 amendments to the IDEA, "The primary focus of Federal and State monitoring activities described in paragraph (1) shall be on -

- (A) Improving educational results and functional outcomes for all children with disabilities; and
- (B) Ensuring that States meet the program requirements under this part, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities."

There are eight components that comprise NH's general supervision system. It is important to note that although the components are separate, the components connect, interact and articulate requirements to form a comprehensive system. The general supervision system for NH has the following components.

- State Performance Plan (SPP)
- Policies, Procedures, and Effective Implementation
- Data on Processes and Results
- Targeted Technical Assistance and Professional Development
- Effective Dispute Resolution
- Integrated Monitoring Activities
- Improvement, Correction, Incentives and Sanctions
- Fiscal Management

The special education compliance monitoring review is one method that the Bureau of Special Education utilizes to implement the general supervision system. The special education compliance monitoring review is comprised of:

- Policies, Procedures, and Effective Implementation
 - District forms used to implement the special education process
- Special Education Personnel
- Monitoring of Special Education Process
- Improvement, Correction, Incentives and Sanctions

The intent of the special education compliance monitoring review is to:

- Improve student outcomes for students with IEPs
- Determine compliance
- Ensure districts understand and are implementing special education requirements in accordance with the *New Hampshire Rules for Education of Children with Disabilities*
- Improve special education policies, procedures and practices

The Bureau of Special Education followed a standard process to select districts to participate in the special education compliance monitoring review. Each district was sorted into a cohort group based on the current October 1st fall enrollment. The Bureau of Special Education in conjunction with the Bureau of Data Management reviewed the previous year state assessment data for grades 3 through 8 for Reading and Math to determine the district in each cohort group that had the widest achievement gap for students without disabilities compared to students with disabilities.

Once a district was selected, the Bureau of Special Education contacted the district to discuss the special education compliance monitoring review with the school administration. The Manchester School District was selected through this process. The Manchester School District is comprised of four High schools: Manchester Central High School, Manchester Memorial High School, Manchester School of Technology, and Manchester West High School, each with a grade span of 9-12. The district fall enrollment on October 1, 2013, shows there were a total of 14,737 enrolled in the Manchester School District. The Manchester High Schools have a grade span of nine through twelve. District Data Profiles for October 1, 2013 indicated that there were 2,548 enrolled in the Manchester School District who were identified with disabilities.

The Bureau of Special Education also provided targeted professional development regarding the special education compliance review process and completion of the self-assessment data collection form. The district was provided with a list of 36 students with disabilities representative of the school based on grade level, disability, gender, and case manager. Students residing in the district who attended a charter school were also included in the representative sample. At the time of the selection of students, the information entered into NHSEIS indicated that there were no students enrolled in charter schools for the Manchester School District. During the onsite visit, the monitoring team selected 28 of the 36 student files to review.

The monitoring visit, conducted on October 17 & 20, 2014, consisted of NHDOE team members and a special education administrator from another district verifying district identified evidence on the self-assessment data collection form. While the district completes the entire self-assessment, each file is reviewed using half of the self-assessment items. The self-assessment is divided into two sections, and on the day(s) of the monitoring visit, each of the files that were selected is assigned a section to be reviewed by the monitoring team. Half of the files are reviewed for one part of the self-assessment, and the other half are reviewed using the second part of the self-assessment.

The district was encouraged to invite their special education staff as well as related service providers to attend the review. Many of the district special education staff attended the review, which provided another targeted professional development opportunity. Staff members were provided the opportunity to learn about implementing IDEA and the *New Hampshire Rules for the Education of Children with Disabilities* and to engage in a professional discussion of best practices for ensuring improved outcomes for students with disabilities.

The New Hampshire Department of Education, Bureau of Special Education review members for this compliance monitoring review included Education Consultants: Kristina Paul, Deborah Krajcik, Amy Jenks, and Lori Noordergraaf. The special education administrator participating in this compliance improvement monitoring review was Mary Paradise, Special Education Director from Merrimack Valley.

Policies, Procedures, and Effective Implementation

Each district must have policies, procedures, and effective implementation of practices that are aligned and support the implementation of IDEA and the *New Hampshire Rules for the Education of Children with Disabilities*. As part of the special education compliance review, the monitoring team reviewed the district's policies and procedures manual for compliance.

In addition, the Bureau of Special of Education cross checked the Annual Request for Federal Special Education Funds FY 14, IDEA Part B Section 611 Assurances, and District Policies to Support Assurance Standards with the district's policy and procedures manual to ensure that document name, date adopted, and pages were valid. Districts are required to submit assurance statements with their local application for IDEA funds.

The monitoring team reviewed the district's policies and procedures manual for the following components.

- Child Find pursuant to 34 CFR 300.111; Ed 1105; Ed 1126.01(b)(1)
- Confidentiality of Information pursuant to 34 CFR 300.610 – 300.627; Ed 1119; Ed 1126.01(b)(2)
- Special Education Facilities, Personnel and Services pursuant to Ed 1126.01(b)(3)
- Personnel Development pursuant to 34 CFR 300.207; Ed 1126.01(b)(4)
- Parent Involvement pursuant to 34 CFR 300.501(b); 34 CFR 300.501(c); 34 CFR 300.327; Ed 1126.01(b)(5)
- Public Participation pursuant to 34 CFR 300.212; Ed 1126.01(b)(6)
- Procedural Safeguards pursuant to 34 CFR 300.500; Ed 1120
- Referral and Disposition of Referral pursuant to 34 CFR 300.300; 34 CFR 300.301(b); 34 CFR 300.305; 34 CFR 300.124; Ed 1106
- Evaluation pursuant to 34 CFR 300.301 – 300.311; Ed 1107; Ed 1107.02
- Determination of Eligibility for Special Education pursuant to 34 CFR 300.306; Ed 1108
- The Individualized Education Program pursuant to 34 CFR 300.320; 34 CFR 300.320(b); 34 CFR 300.43; Ed 1109

- Placement of Children with Disabilities pursuant to 34 CFR 300.114 – 300.117; Ed 1111
- State Department of Education Monitoring of Educational Services and Programs for Children with Disabilities pursuant to Ed 1126.01(a)
- Coordination with other Local and State Agencies pursuant to Ed 1126.01(b)(10)
- Children with Disabilities Enrolled in Private Schools by Parents pursuant to 34 CFR 300.131 – 300.132; Ed 1126.01(b)(11)
- Instructional Materials in Accessible Formats pursuant to 34 CFR 300.172; Ed 1126.01(b)(12)
- Disciplinary Procedures for Children with Disabilities pursuant to 34 CFR 300.530 – 300.536; Ed 1124
- Dispute Resolution
 - Complaint Procedures pursuant to 34 CFR 300.153; Ed 1121
 - Alternative Dispute Resolution pursuant to 34 CFR 300.506; Ed 1122
 - Administrative Due Process Hearing Procedures pursuant to 34 CFR 300.507 – 300.518; Ed 1123
- Local Education Agency Request for Special Education Funds pursuant to Ed 1126.01

Policies and Procedures

Based on the review of the Manchester School District’s policies and procedures manual, the monitoring team determined there were **two findings of noncompliance** that must be corrected as soon as possible, but no later than 6 months from the date of this report.

1. The Manchester School District Special Education Plan Introduction, page 4 refers to the New Hampshire Rules for the Education of Children with Disabilities-2008. The current NH Rules have the dates of Amended as of December 1, 2010, Amended as of May 15, 2014. When the monitoring team was verifying the evidence of compliance, Manchester School District’s “Special Education Handbook, December 2012”, did not clearly indicate that the policies and procedures align with the current New Hampshire Rules for the Education of Children with Disabilities (NH Rules), June 30, 2008; Amended as of December 1, 2010; Amended as of May 15, 2014. The district is responsible for ensuring that the policies and procedures are current with recent changes in federal regulations, state laws and NH Rules.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
1. Ed 1101.01	Rules for the Education of Children with Disabilities
<p>Corrective Action regarding the Implementation of the Regulations: The Manchester School District must revise its Special Education Handbook to reflect updates in the New Hampshire Rules for the Education of Children with Disabilities, June 30, 2008, Amended as of December 1, 2010, Amended as of May 15, 2014, as well as how school staff is informed of the new practice within 6 months of the date of this report.</p> <p>The NHDOE will verify compliance through a subsequent on-site review.</p>	

2. When the monitoring team was verifying the evidence of compliance, the district described its policy regarding accessibility for instructional materials. The policy, on page 55 of the Special Education Handbook, states that “All children who require instructional materials in an alternate format will receive those materials in a timely manner to allow them to participate in the curriculum.” Ed 1126.01(b)(12) states: A component that shall describe the LEA’s reasonable steps to ensure that children with disabilities who need instructional materials in accessible formats receive those materials at the same time other children receive instructional materials.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
2. Ed 1126.01 (b)(12)	Instructional Materials
<p>Corrective Action regarding the Implementation of the Regulations: The Manchester School District must revise page 55 of its Special Education Handbook to reflect Ed 1126.01(b)(12) to ensure that children with disabilities who need instructional materials in accessible formats receive those materials at the same time other children receive instructional materials, as well as how school staff is informed of the new practice within 6 months of the date of this report.</p> <p>The NHDOE will verify compliance through a subsequent on-site review.</p>	

Effective Implementation of Practices

As part of the review of The Manchester School District’s forms implementing the special education process, the Bureau of Special Education also looked for evidence that the policies and procedures were effectively being implemented. The NHDOE determined that there were **two findings of noncompliance** that must be corrected as soon as possible but no later than 3 months from the date of this report.

The monitoring team reviewed the following district forms to ensure the implementation of the special education process:

- Record of Access pursuant to 34 CFR 300.614; Ed 1119.02(a)
- Notice of IEP Meeting pursuant to 34 CFR 300.322; Ed 1103.02(a)
- 10 Day Wavier pursuant to Ed 1103.02(b)
- Written Prior Notice pursuant to 34 CFR 300.503; Ed 1120.03(a)(b)

- Determining the Existence of a Specific Learning Disability pursuant to 34 CFR 300.309 & 300.311; Ed 1107.01(a)
- Evaluation Report pursuant to Ed 1107.05(a)
- Procedural Safeguard Notice pursuant to 34 CFR 300.504; Ed 1120.03(b)

1. When the monitoring team was verifying the evidence of compliance, the team reviewed the form “Written Prior Notice”. This form does comply with the requirements of 34 CFR 300.503 (b)(1-4) & (6-7), however the form does not comply with 300.503(b)(5) regarding sources for parents to contact.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
1. 34 CFR 300.503(b)(5); Ed 1120.03(b)	Written Prior Notice
<p>Corrective Action regarding the Implementation of the Regulations: The Manchester School District must immediately notify staff to stop using the district created form “Written Prior Notice”. The Manchester School District must revise it’s Written Prior Notice form to meet the criteria 34 CFR 300.503(b)(5) to include sources for parents to contact. Provide the revised form as well as the evidence of how school staff is informed of the new practice to the NHDOE as soon as possible but no later than 3 months from the date of this report.</p>	

2. When the monitoring team was verifying the evidence of compliance, the team reviewed the form “Parental Permission to Extend Time Limits”. This district created form requests parental permission to extend time limits for various processes. The only extension permitted by IDEA and/or NH Rules is the 45 days for the evaluation process and the 14-day time limit for consent if the parent and LEA mutually agree to an extension.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
2. Ed 1107.01(d); Ed 1120.04(d)	Evaluation; Parental Consent
<p>Corrective Action regarding the Implementation of the Regulations: The Manchester School District must immediately notify staff to stop using the district created form “Parental Permission to Extend Time Limits”. The Manchester School District must revise it’s form to reflect Ed 1107.01(d)-a no more than fifteen day extension for evaluations, and 1120.04(d)-a 14-day time limit for consent if the parent and LEA mutually agree to an extension. Provide the revised form as well as the evidence of how school staff is informed of the new practice to the NHDOE as soon as possible but no later than 3 months from the date of this report.</p>	

Recommendations to address problematic practices that do not represent noncompliance

During the monitoring visit, it had been revealed that the district has been engaging in some practices that have the potential to become problematic. The NHDOE has identified these practices and potential remedies to these practices. Whereas these practices do not

rise to the standard of noncompliance, and therefore require no corrective actions, the NHDOE believes that the practices are noteworthy to be addressed.

- Based on the review of the policies and procedures manual, page 19 under Personnel Development indicates that the district's Professional Master Development Plan is in effect for a five-year period from July, 2009-July, 2014. The Manchester School District should update information from its current Professional Master Development Plan in the Special Education Policy and Procedures Manual regarding professional development.
- In reviewing the Manchester School Districts list of authorized personnel posted on the special education file cabinets, it was noted that some of the lists included more than special education employees of the district. Authorized personnel are those employees of the district who can access the special education file without having to sign the record of access located in the file itself. Contracted personnel are not school district employees and should be signing in to the record of access when accessing a special education file. The Manchester School District should consider updating these lists to reflect only district employees who are authorized to access a student's file without signing the record of access in the folders.

Special Education Personnel

The Bureau of Special Education has reviewed the Manchester School District special education staff certifications using the New Hampshire Educator Information System. The review process was for special education staff employed during 2014-2015 school year.

The data for Manchester Central High School, Manchester Memorial High School, Manchester School of Technology, and Manchester West High School was generated and reviewed prior to the visit. Each special education staff member's endorsement was compared to the subject/assignment. This process was used for special educators who hold Education Intern License 4 (INT4), Beginning Educator Certification (BEC) and Experienced Educator Certification (EEC). If the endorsement was appropriate to the subject/ assignment then the renewal date of the endorsement was verified to ensure that the endorsement was current.

If there was a discrepancy between endorsement and the subject/assignment, the district was given an opportunity to verify the data. If the discrepancy could not be resolved a finding of noncompliance was made based on Personnel Standards pursuant to Ed 1113.12, 34 CFR 300.18, and 34 CFR 300.156.

Based on the review of the special education staff certifications, the NHDOE determined there was a **finding of noncompliance**.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
34 CFR 300.18; 34 CFR 300.156; Ed 1113.12(a)	Personnel Standards
<p>Corrective Action regarding the Implementation of the Regulations: The Manchester School District must provide the NHDOE with evidence that resolves the discrepancies between subject/assignments and endorsements with the one staff member at Central High School; the two staff members at West High School; and staff members having no Special Education subjects/assignments at the Manchester School of Technology. Provide the updated information to the NHDOE as soon as possible but no later than 6 months from the date of this report.</p>	

Manchester Central High School:

- A staff member has a subject/assignment in Blind and Vision Disabilities; however has endorsements in General Special Education and Specific learning Disabilities.

Manchester West high School:

- A staff member has a subject/assignment in Special Education – Life Science Content; however has endorsements in Life Science Education (7-12) and Chemistry Education.
- A staff member has a subject /assignment in Special Education – Physical Science; however has endorsements in Middle Level Science (5-9) and Physics Education.

Manchester School of Technology:

- There were no Special Education subject/assignments.

The district was notified of the concerns listed above for each of the High Schools listed above via email on October 29, 2014. Staff specific information was included in the email.

Monitoring of Special Education Process

Districts are responsible for implementing the special education process in accordance with IDEA and the *New Hampshire Rules for the Education of Children with Disabilities*. The self-assessment data collection form highlights the district’s understanding of the requirements of IDEA and the *New Hampshire Rules for the Education of Children with Disabilities* and was reviewed during the monitoring visit. Each area of compliance on the self-assessment data collection form clearly outlines whether the compliance is either a requirement of both IDEA and the *New Hampshire Rules for the Education of Children with Disabilities* or a requirement of solely the *New Hampshire Rules for the Education of Children with Disabilities*. During the monitoring visit, the monitoring team verified the evidence of compliance based on review of the student file, using the district’s self-assessment as a resource.

Based on this review, the Bureau of Special Education identified findings of noncompliance with IDEA and the *New Hampshire Rules for the Education of Children with Disabilities*. The findings include the compliance citation, the area of compliance, the specific component of

the regulation, and the required corrective actions, which include timelines for demonstrating correction of noncompliance. Student specific information will not be included in the report but will be provided to the district's Special Education Director.

There are two main components to the corrective actions entitled, "*Corrective Action of Individual Instance of Noncompliance*" and "*Corrective Action Regarding the Implementation of the Regulations*". The first component, "corrective action of individual instance of noncompliance", is for any noncompliance concerning a child-specific requirement. There must be evidence that the district has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district. These areas must be corrected as soon as possible, with state timelines given in the report for each area. The NHDOE will return to the district, typically within 3 months from the date of the report, to verify compliance for each individual instance identified in the report. The second component, "corrective action regarding the implementation of the regulations", would typically involve the district providing professional development training to appropriate staff with regards to areas found to be in noncompliance. The NHDOE will review updated data, collected after the identification of noncompliance to demonstrate that the district is correctly implementing the specific requirement. This involves a follow-up on-site review of new files selected, typically within one year of the original on-site compliance monitoring.

Overview of the Specific Findings of Noncompliance

The chart below identifies the area of compliance based on student files that were reviewed by the compliance and improvement monitoring team during the onsite visit. The chart is broken down into the **compliance citations** and **area of compliance**. The compliance citations are based on the *CFR* found in the Federal regulations of IDEA and the *Ed* found in the administrative rules of the New Hampshire Rules for the Education of Children with Disabilities. The chart aligns the regulatory components to the numbered questions in the self-assessment. Regulatory components and self-assessment numbers are bolded in instances where noncompliance was noted by the compliance and improvement monitoring team.

The **review status** identifies the **number of files reviewed** for the self-assessment question as well as the number of files that were found to be in compliance. For example "12 out of 14 files demonstrated a record of parties that have obtained access to the education records collected or used under Part B of the Act." Simply put, 14 files were reviewed and 12 files were found to be in compliance.

In cases where there was a finding of noncompliance for a particular student, the chart identifies the **Corrective Action of Individual Instance of Noncompliance**. This section of the chart states the student file that was used as evidence to support the noncompliance of the regulation. In the case of an individual instance of noncompliance, the corrective action would generally involve the IEP team convening to resolve the finding of

noncompliance. Timelines for these corrective actions are also noted. The NHDOE will return to the district approximately three months following the district receiving written notification of noncompliance (the report) to review all student files in which there were findings of noncompliance in order to verify compliance with the corrective action stated in the report.

Lastly, the chart identifies the **Corrective Action Regarding the Implementation of the Regulation**. This section may also include a reference to a student file that was used as evidence to support the noncompliance of the regulation, if applicable. This section informs the district of any practices or procedures which need to be corrected as well as trainings for staff to inform them of the corrections as a result of the findings of noncompliance. The required corrective action by the district and a timeline for the corrective action is also provided. Identified in this section will be a number of new student files that will be selected at each school to demonstrate compliance with a requirement. The NHDOE will verify compliance through a subsequent on-site review of the new files within a year from the date of the report.

Specific Findings of Noncompliance

When determining compliance, the NHDOE will only review the most current agreed upon/signed IEP at the on-site monitoring visit. During the compliance review visit, there was one file which could not be reviewed, and therefore all areas were deemed out of compliance, as there was no LEA signature indicating approval of the provisions of the IEP.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
34 CFR 300.323; 34 CFR 300.324 Ed 1109	Individualized Education Program
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student file M</u> there was no evidence of the LEA signature indicating approval of the provisions of the IEP; therefore all of the components of the self-assessment could not be reviewed and are out of compliance.</p> <p>As soon as possible, but not later than 2 months from of the date of this report, the district must ensure that a currently agreed upon/signed IEP by both the parent and the LEA is in place for <u>student M</u>. A self-assessment form for <u>student M</u> will need to be completed by the district prior to the NHDOE verifying compliance for <u>student M</u> through a subsequent on-site review.</p> <p>Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to ensure that IEPs include the signature of the parent or, where appropriate, student, and a representative of the LEA indicating approval of the provisions of the IEP. Provide a brief description of the training including the dates of the training and lists of staff in attendance to the NHDOE within 3 months from the date of this report.</p>	

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.614 Ed 1119.02		Record of Access; Confidentiality Requirements
Self-Assessment Question Number	Regulatory Component	Review Status
1.	34 CFR 300.614 Ed 1119.02(a)	12 out of 13 files demonstrated evidence of a record of parties that have obtained access to the education records collected, maintained or used under Part B of the Act.
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student file Z</u>, there was no evidence of a record of access to education records collected, maintained or used under Part B of the Act.</p> <p>As soon as possible, but no later than 2 months from of the date of this report, the district must ensure that a record of access has been placed in <u>student Z's</u> file. The NHDOE will verify this through a subsequent on-site review.</p> <p>Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to ensure that a record of parties that have obtained access to the education records collected, maintained or used under Part B of the act is in each file. Provide a brief description to the training including the dates of the training and lists of staff in attendance to the NHDOE within 3 months from the date of this report.</p> <p>The NHDOE will select 2 new files at West for updated data demonstrating compliance with this requirement, and will verify compliance through a subsequent onsite review.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.504(a) Ed 1120.03(b)		Procedural Safeguards
Self-Assessment Question Number	Regulatory Component	Review Status
2.	34 CFR 300.504(a) Ed 1120.03(b)	13 out of 13 IEP files demonstrated evidence that a copy of the procedural safeguards, available to the parents of a child with a disability, was given to the parent one time in the school year.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.306; 34 CFR 300.304 Ed 1108.01; Ed 1107.04		Evaluation; Determination of Eligibility for Special Education
Self-Assessment Question Number	Regulatory Component	Review Status
3.	34 CFR 300.306(a)(1) Ed 1108.01(a)	Upon completion of assessments, 11 out of 14 IEP files demonstrated evidence that a group of qualified professionals and the parent of the child determined whether the child is a child with a disability.
4.	Ed 1108.01(b)(1)	For determination of eligibility, 10 out of 14 IEP files demonstrated evidence that the composition of the IEP team also included a teacher certified in each area of suspected disability.
5.	Ed 1108.01(b)(2)	For determination of eligibility, 13 out of 14 IEP files demonstrated evidence that the composition of the IEP team also included an individual knowledgeable about the child as a result of having had

		personal contact with the child in the school or, if the child is below school age, at another setting.
6.	34 CFR 300.304(c)(1)(iv) Ed 1107.04(b)	7 out of 14 IEP files demonstrated evidence that trained and knowledgeable personnel administered the assessment.
7.	34 CFR 300.306(c)(1)(i) Ed 1108.01(a)	8 out of 14 IEP files demonstrated evidence that the team drew upon, carefully considered and documented information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior.

Corrective Action regarding the Implementation of the Regulations: For student files E, J, & V, there was no evidence that a group of qualified professionals and the parent of the child determined whether the child is a child with a disability. For student files E, V, X, & AA, there was no evidence that the IEP team also included a teacher certified in each area of suspected disability. For student file V, there was no evidence that the IEP team also included an individual knowledgeable about the child as a result of having had personal contact with the child in the school. For student files A, E, J, V, X, AA, & AB, there was no evidence that trained and knowledgeable personnel administered the assessment as set forth in table 1100.1. For student files A, E, J, V, AA, & AB, there was no evidence that the team drew upon, carefully considered and documented information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior.

Provide training to appropriate staff to ensure that the composition of the IEP team to determine eligibility includes a group of qualified professionals and the parent of the child, teachers certified in each area of suspected disability, and an individual knowledgeable about the child as a result of having had personal contact with the child in the school. Training will also need to include components that consist of information regarding having trained and knowledgeable personnel administering assessments, and that the IEP team to determine eligibility draws upon carefully considered and documented information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior.

Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 7 new student files (2 at Central, 2 at Memorial, and 3 at West) for updated data demonstrating compliance with this requirement and will verify that the composition of the IEP teams for determination of eligibility includes a group of qualified professionals and the parent of the child, teachers certified in each area of suspected disability, and an individual knowledgeable about the child as a result of having had personal contact with the child in the school through a subsequent onsite review.

The NHDOE will select 9 new files (3 at Central, 2 at Memorial, and 4 at West) for updated data demonstrating compliance with this requirement and will verify that trained and knowledgeable personnel administering assessments, and that the IEP team to determine eligibility draws upon carefully considered and documented information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior through a subsequent onsite review.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
34 CFR 300.503 Ed 1120.03	Written Prior Notice (Determination of Eligibility)

Self-Assessment Question Number	Regulatory Component	Review Status
8.	34 CFR 300.503(b)(1) Ed 1120.03(b)	10 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of the action proposed or refused by the agency.
9.	34 CFR 300.503(b)(2) Ed 1120.03(b)	9 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included an explanation of why the agency proposed or refused to take the action.
10.	34 CFR 300.503(b)(3) Ed 1120.03(b)	4 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action.
11.	34 CFR 300.503(b)(6) Ed 1120.03(b)	10 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other options that the IEP team considered and the reasons why those options were rejected.
12.	34 CFR 300.503(b)(7) Ed 1120.03(b)	8 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other factors that were relevant to the LEA's proposal or refusal.
13.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	13 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability was provided in the native language of the parent or other mode of communication used by the parent, unless it was clearly not feasible to do so.

Corrective Action regarding the Implementation of the Regulations: For student files A, E, V, & AA there was no evidence that the written prior notice included a description of the action proposed or refused by the agency. For student files A, E, R, V, & AA there was no evidence that the written prior notice included an explanation of why the agency proposed or refused to take the action. For student files A, E, I, J, R, T, V, X, AA, & AB there was no evidence that the written prior notice included a description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action. For student files E, T, V, & AA, there was no evidence that the written prior notice included a description of other options that the IEP team considered and why those options were rejected. For student files A, C, E, R, V, & X, there was no evidence that the written prior notice included a description of other factors that were relevant to the LEA's proposal or refusal. For student file E, there was no evidence that the written prior notice was provided in the native language of the parent or other mode of communication used by the parent.

Provide training to staff on completing the written prior notice in order for staff to appropriately document each component of a written prior notice. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 11 new student files (3 at Central, 2 at Memorial, 3 at the Manchester School of Technology, 3 at West) for updated data demonstrating compliance with this requirement and will verify that each required component in the written prior notices are complete, including a description of the action proposed or refused by the agency, a description of why the district proposed or refused to take the action, a description of each evaluation procedure assessment, record, or report the district used as a basis for the proposed or refused action, a description of other options the district considered and why those options were rejected, a description of other factors the that were relevant to the LEA's proposal or refusal, and that the notice was provided in the native language of the parent. The NHDOE will verify compliance with this requirement through a subsequent on-site review.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
34 CFR 300.323; 34 CFR 300.324	Individualized Education Program

Ed 1109		
Self-Assessment Question Number	Regulatory Component	Review Status
14.	Ed 1109.01(a)(5)	14 out of 14 IEP files demonstrated evidence of the signature of the parent or, where appropriate, student, and a representative of the LEA indicating approval of the provisions of the IEP.
15.	Ed 1109.04(a)	12 out of 14 IEP files demonstrated evidence that a copy of the IEP has been provided to each teacher and service provider listed as having responsibilities for implementing the IEP.
16.	34 CFR 300.323(c)(1) Ed 1109.03(a)	For an initial IEP, 0 out of 0 IEP files demonstrated evidence that there was a meeting to develop an IEP for the student conducted within 30 days of a determination that the child needs special education and related services. <i>(There were no student files that were students with initial IEPs.)</i>
17.	Ed 1109.03(d)	14 out of 14 IEP files demonstrated evidence that the IEP was reviewed periodically but not less than annually.
18.	34 CFR 300.323(a) Ed 1109.03(1)	13 out of 14 IEP files demonstrated evidence that an IEP was in place at the beginning of the school year.
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student files A & AB</u> there was no evidence that a copy of the IEP has been provided to each teacher and service provider listed as having responsibilities for implementing the IEP.</p> <p>As soon as possible, but not later than 2 months from of the date of this report, the district must ensure that a copy of the IEP has been provided to each teacher and service provider listed as having responsibilities for implementing the IEP. The NHDOE will verify this through a subsequent on-site review.</p> <p>Corrective Action regarding the Implementation of the Regulations: For student file X, there was no evidence that the IEP was in place at the beginning of the school year.</p> <p>Develop procedures and provide trainings to appropriate staff for ensuring that a copy of the IEP has been provided to each teacher and service provider listed as having responsibilities for implementing the IEP, and for ensuring that IEPs are in place at the beginning of the school year. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE as soon as possible but no later than 3 months from the date of this report.</p> <p>The NHDOE will select 4 new student files (2 at Central, and 2 at West) for updated data demonstrating compliance with the requirement and will verify compliance through a subsequent on-site review.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.321(a) Ed 1103.01		IEP Team; Participants in the Special Education Process
Self-Assessment Question Number	Regulatory Component	Review Status
19.	34 CFR 300.321(a)(1) Ed 1103.01(a)	10 out of 13 IEP files demonstrated evidence that the IEP Team included the parents of the child.
20.	34 CFR 300.321(a)(2) Ed 1103.01(a)	12 out of 13 IEP files demonstrated evidence that the IEP Team included at least one regular education teacher of the child.
21.	34 CFR 300.321(a)(3) Ed 1103.01(a)	14 out of 14 IEP files demonstrated evidence that the IEP Team included at least one special education teacher of the child, (or where appropriate), at least one special education provider of the

		child.
22.	34 CFR 300.321(a)(4) Ed 1103.01(a)	13 out of 14 IEP files demonstrated evidence that the IEP Team included an LEA representative.
23.	34 CFR 300.321(a)(5) Ed 1103.01(a)	14 out of 14 IEP files demonstrated evidence that an individual who can interpret the instructional implications of the evaluation results participated in the meeting.
24.	Ed 1103.01(c)	If vocational education was being considered, 3 out of 4 IEP files demonstrated evidence that the IEP team membership included an individual knowledgeable about the vocational education program being considered.
25.	Ed 1103.02(a)	8 out of 14 IEP files demonstrated evidence that the parent(s) received a written invitation no fewer than 10 days before an IEP meeting which included the purpose, time, location and identification of the participants. 3 out of 8 of those IEP files demonstrated evidence of written consent of the parent(s) that the notice requirements were waived. [Ed 1103.02(b)].

Corrective Action of Individual Instance of Noncompliance: For student file A, O, & AA, there was no evidence that that the IEP Team included the parents of the child. For student file AA, there was no evidence that the IEP team included at least one regular education teacher. For student file C, there was no evidence that the IEP team included an LEA representative. For student file E, there was no evidence that the IEP team membership included an individual knowledgeable about the vocation education program being considered.

As soon as possible, but no later than 2 months from the date of this report, the district must convene the IEP teams to review the IEPs and show evidence that the IEP Teams included the parents of the child; at least one regular education teacher of the child; an LEA representative; and an individual knowledgeable about the vocational education being considered. The NHDOE will verify this through a subsequent on-site review.

Corrective Action regarding the Implementation of the Regulations: For student files A, C, E, T, X, & AB, there was no evidence that the parent(s) received a written invitation no fewer than 10 days before an IEP meeting which included the purpose, time location and identification of the participants. For student files A, E, T, X & AB, there was no evidence of written consent of the parent(s) that the notice requirements were waived pursuant to Ed 1103.02(b).

Provide trainings to appropriate staff for ensuring that at least a 10 day notice is given to the parent before an IEP meeting, which includes the purpose, time, location and identification of the participants, and when not possible, that staff follow through with obtaining the written consent of the parent that the notice requirement is waived. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 6 new student files (2 at Central, 2 at Memorial, 2 at West) for updated data demonstrating compliance with this requirement and will verify evidence that the IEP team included the parents of the child, at least one regular education teacher, an LEA representative, and an individual knowledgeable about the vocational education program being considered.

The NHDOE will select 10 new student files (4 at Central, 3 at the Manchester School of Technology, 3 at West) for updated data demonstrating compliance with this requirement and will verify evidence that the IEP team provided that a 10 day notice is given to the parent(s) before an IEP meeting, which includes the purpose, time, location and identification of the participants and for those circumstances when less than 10 days' notice is given, that prior to a meeting, the notice requirements are waived through the written consent of the parent.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
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34 CFR 300.320(a); 34 CFR 300.324(a)(1)		Individualized Education Program (Present Levels of Academic Achievement and Functional Performance)
Self-Assessment Question Number	Regulatory Component	Review Status
26.	34 CFR 300.324(a)(1)(i)	13 out of 13 IEPs demonstrated evidence of a statement of the child's strengths.
27.	34 CFR 300.324(a)(1)(iv)	11 out of 13 IEPs demonstrated evidence of a statement of the child's academic, developmental, and functional needs.
28.	34 CFR 300.324(a)(1)(ii)	13 out of 13 IEPs demonstrated evidence of a statement of the parent's concerns for improving the student's education in the IEP.
29.	34 CFR 300.324(a)(1)(iii)	11 out of 13 IEPs demonstrated evidence that the results of initial or most recent evaluations of the child were included in the IEP.
30.	34 CFR 300.320(a)(1)(i)	12 out of 13 IEPs demonstrated evidence of a statement in the IEP that describes how the student's disability affects the student's involvement and progress in the general education curriculum.
31.	34 CFR 300.320(a)(4)(ii)	11 out of 13 IEPs demonstrated evidence of a statement that describes how the student's disability affects non-academic areas.
32.	34 CFR 300.320(a)(1)(ii)	For preschool children, as appropriate, 0 out of 0 IEPs demonstrated evidence of a statement in the IEP that describes how the disability affects the child's participation in appropriate activities.
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student files K & Z</u>, there was no evidence of a statement of the child's academic, developmental, and functional needs. For <u>student files F & Z</u>, there was no evidence that the results of initial or most recent evaluations of the child were included in the IEP. For <u>student file Z</u>, there was no evidence of a statement in the IEP that describes how the student's disability affects the student's involvement and progress in the general education curriculum. For <u>student files F & K</u>, there was no evidence of a statement that describes how the student's disability affects non-academic areas.</p> <p>As soon as possible, but no later than 2 months of the date of this report, the district must amend the IEPs to include a statement of the child's strengths, a statement of the child's academic, developmental, and functional needs, a statement of the parent's concerns for improving the student's education, the results of initial or most recent evaluation of the child, a statement that describes how the student's disability affects the student's involvement and progress in the general education curriculum, and a statement that describes how the student's disability affects non-academic areas. The NHDOE will verify this through a subsequent on-site review.</p> <p>Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to include in student's IEPs a statement of the child's strengths, a statement of the child's academic, developmental, and functional needs, a statement of the parent's concerns for improving the student's education, the results of initial or most recent evaluation of the child, a statement that describes how the student's disability affects the student's involvement and progress in the general education curriculum, and a statement that describes how the student's disability affects non-academic areas. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE.</p> <p>The NHDOE will select 6 new student files (2 at Central, 2 at Memorial, 2 at West) for updated data demonstrating compliance with this requirement and will verify the evidence that a statement of the child's strengths, a statement of the child's academic, developmental, and functional needs, a statement of the parent's concerns for improving the student's education, the results of initial or most recent evaluation of the child, a statement that describes how the student's disability affects the student's involvement and progress in the general education</p>		

curriculum, and a statement that describes how the student’s disability affects non-academic areas are included in the IEPs through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.324(a)(2) Ed 1109.03(h)		Consideration of Special Factors
Self-Assessment Question Number	Regulatory Component	Review Status
33.	34 CFR 300.324(a)(2)(i) Ed 1109.03(h)	When a child’s behavior impedes the child’s learning or that of others, 6 out of 6 IEPs demonstrated evidence that the IEP team considered the use of positive behavioral interventions and supports, and other strategies, to address that behavior.
34.	34 CFR 300.324(a)(2)(ii) Ed 1109.03(h)	When a child demonstrates limited English proficiency, 1 out of 2 IEPs demonstrated evidence that the IEP Team considered the language needs of the child as those needs relate to the child’s IEP.
35.	34 CFR 300.324(a)(2)(iii) Ed 1109.03(h)	When a child is blind or visually impaired, 0 out of 0 IEPs demonstrated evidence that the IEP Team provided for instruction in Braille and the use of Braille unless the IEP Team determined, after an evaluation of the child’s reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child’s future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille was not appropriate for the child. <i>(No child was blind or visually impaired from the files reviewed.)</i>
36.	34 CFR 300.324(a)(2)(iv) Ed 1109.03(h)	12 out of 12 IEPs demonstrated evidence that the IEP Team considered the communication needs of the child.
37.	34 CFR 300.324(a)(2)(iv) Ed 1109.03(h)	When a child is deaf or hard of hearing, 0 out of 0 IEPs demonstrated evidence that the IEP Team considered the child’s language and communication needs, opportunities for direct communications with peers and professional personnel in the child’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child’s language and communication mode. <i>(No child was deaf or hard of hearing from the files reviewed.)</i>
38.	34 CFR 300.324(a)(2)(v) Ed 1109.03(h)	10 out of 12 IEPs demonstrated evidence that the IEP Team considered whether the child needed assistive technology devices and services.

Corrective Action of Individual Instance of Noncompliance: For student file W, there was no evidence that when a child demonstrates limited English proficiency the IEP Team considered the language needs of the child as those needs relate to the child’s IEP. For student files F & Z, there was no evidence that the IEP Team considered whether the child needed assistive technology devices and services.

As soon as possible, but no later than 2 months of the date of this report, the district must amend student W’s IEP to include considerations when a child demonstrates limited English proficiency the IEP Team considered the language needs of the child as those needs relate to the child’s IEP; and amend students F & Z’s IEP to include considerations whether the child needed assistive technology devices and services. The NHDOE will verify this through a subsequent on-site review.

Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to

include considerations of special factors when developing IEPs. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE.

The NHDOE will select 4 new student files (2 at Central, 2 at West) for updated data demonstrating compliance with this requirement and will verify the evidence that IEP teams considered the areas of special factors. The NHDOE will verify compliance with this requirement through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
Ed 1109.01(a)(10)		Courses of Study
Self-Assessment Question Number	Regulatory Component	Review Status
39.	Ed 1109.01(a)(10)	For each student with a disability beginning at age 14 or younger, if determined appropriate by the IEP team, 8 out of 13 IEPs demonstrated 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.
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student files F, Q, S, U & Z</u>, there was no 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.</p> <p>As soon as possible, but no later than 2 months from the date of this report, the district must amend the IEPs to include 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. The NHDOE will verify this through a subsequent on-site review.</p> <p>Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to address IEP teams including 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. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.</p> <p>The NHDOE will select 9 new student files (2 at Central, 4 at the Manchester School of Technology, 3 at West) for updated data demonstrating compliance with this requirement and will verify the evidence through a subsequent on-site review.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(2)(i) Ed 1109.01(a)		Measurable Annual Goals; Short-term Objectives or Benchmarks
Self-Assessment Question Number	Regulatory Component	Review Status
40.	34 CFR 300.320(a)(2)(i)	0 out of 13 IEPs demonstrated evidence of a statement of

	Ed 1109.01(a)(1)	measurable annual goals, including academic and functional goals.
41.	34 CFR 300.320(a)(2)(i)(A) Ed 1109.01(a)(1)	11 out of 13 IEPs demonstrated evidence that the measurable annual goals meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum.
42.	34 CFR 300.320(a)(2)(i)(B) Ed 1109.01(a)(1)	If there are other educational needs that result from the child's disability, 12 out of 13 IEPs demonstrated evidence that the measurable annual goals meet each of the child's other educational needs.
43.	Ed 1109.01(a)(6)	13 out of 13 IEPs demonstrated evidence of short-term objectives or benchmarks for all children unless the parent determines them unnecessary for all or some of the child's annual goals.
<p>Corrective Action of Individual Instance of Noncompliance: Three goals were selected for review for each student file. There were 6 components reviewed for each goal; a present level of academic and functional performance, a time frame, a condition/situation, the student's name, a clearly defined/observable behavior, and performance criteria (how well, how consistently, how often, and how it will be measured). For <u>student files B, D, F, H, K, L, N, Q, S, U, W, Y, & Z</u>, there was no evidence for <i>at least one</i> of the components reviewed for of a statement of measurable annual goals, including academic and functional goals. For <u>student files W, & Z</u>, there was no evidence that the measurable annual goals meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum. For <u>student file W</u>, there was no evidence that the measurable annual goals meet each of the child's other educational needs.</p> <p>Within 2 months of the date of this report, the district must amend the IEPs to include measurable annual goals and measurable goals that meet the child's needs that result from the child's disability and the child's other educational needs. The NHDOE will verify this through a subsequent on-site review.</p> <p>Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to address writing measurable annual goals, and that meet the child's needs that result from the child's disability and other educational needs in order to be involved in and make progress in the general education curriculum. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.</p> <p>The NHDOE will select 9 new student files (2 at Central, 2 at Memorial, 2 at the Manchester School of Technology, 3 at West) for updated data demonstrating compliance with this requirement and will verify the evidence through a subsequent on-site review.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
Ed 1109.04(a)(8)		Review and Revision of IEPs (Measuring Progress)
Self-Assessment Question Number	Regulatory Component	Review Status
44.	Ed 1109.01(a)(9)	11 out of 13 IEPs demonstrated evidence that the IEP includes a statement of how the child's progress toward meeting the annual goals will be measured.
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student files L & W</u>, there was no evidence that the IEP includes a statement of how the child's progress toward meeting the annual goals will be measured.</p> <p>Within 2 months of the date of this report, the district must amend the IEPs to include a statement of how the child's progress toward meeting the annual goals will be measured. The NHDOE will verify this through a</p>		

subsequent on-site review.

Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to address that IEPs include a statement of how the child’s progress toward meeting the annual goals will be measured. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 4 new student files (2 at Memorial, 2 at West) for updated data demonstrating compliance with this requirement and will verify the evidence through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.323(d)(2)(ii) Ed 1102; Ed 1109.03(a)		a
Self-Assessment Question Number	Regulatory Component	Review Status
45.	34 CFR 300.323(d)(2)(ii) Ed 1109.03(a)	11 out of 13 IEPs demonstrated evidence that each teacher and provider has been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.
46.	Ed 1102.01(b)	If accommodations are included, 13 out of 13 IEPs demonstrated evidence that the accommodations are changes in instruction or evaluation determined necessary by the IEP team that do not impact the rigor and/or validity of the subject matter being taught or assessed.
47.	Ed 1102.03(v)	If modifications are included, 7 out of 10 IEPs demonstrated evidence that the modifications are changes in instruction or evaluation determined necessary by the IEP team that impacts the rigor and validity or rigor or validity, of the subject matter being taught or assessed.
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student files B & D</u>, there was no evidence that each teacher and provider has been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. For <u>student files F, U & Z</u>, there was no evidence that the modifications are changes in instruction or evaluation determined necessary by the IEP team that impacts the rigor and validity or rigor or validity, of the subject matter being taught or assessed.</p> <p>Within 2 months of the date of this report, the district must ensure that each teacher and provider for students B & D has been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. The NHDOE will verify this through a subsequent on-site review.</p> <p>Within 2 months of the date of this report, the district must amend students F, U & Z’s IEP to ensure that the modifications are changes in instruction or evaluation determined necessary by the IEP team that impacts the rigor and validity or rigor or validity, of the subject matter being taught or assessed. The NHDOE will verify this through a subsequent on-site review.</p>		
<p>Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to address that each teacher and provider has been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP; and the modifications are changes in instruction or evaluation determined necessary by the IEP team that impacts the rigor and validity or rigor or validity, of the subject matter being taught or assessed. Provide a brief description of the trainings including the</p>		

dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 4 new student files (2 at Central, 2 at West) for updated data demonstrating compliance with this requirement and will verify the evidence through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a) Ed 1109.01(a)(1); 1109.04(b)		Definition of Individualized Education Program (Special Education and Related Services, Supplementary Aids and Services, and Program Modifications or Supports for School Personnel)
Self-Assessment Question Number	Regulatory Component	Review Status
48(a).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	12 out of 13 IEPs demonstrated evidence of a statement of special education.
48(b).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	5 out of 5 IEPs demonstrated evidence of a statement of related services.
48(c).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	3 out of 3 IEPs demonstrated evidence of a statement of supplementary aids and services.
48(d).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	11 out of 11 IEPs demonstrated evidence of a statement of the program modifications.
48(e).	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	11 out of 11 IEPs demonstrated evidence of a statement of the supports for school personnel.
49.	34 CFR 300.320(a)(7) Ed 1109.01(a)(1)	13 out of 13 IEPs demonstrated evidence of a projected date for the beginning of the services and modifications described in the supports and services section of the IEP.
50.	34 CFR 300.320(a)(7) Ed 1109.01(a)(1)	13 out of 13 IEPs demonstrated evidence of the anticipated frequency, location, and duration of those services and modifications described in the supports and services section of the IEP.
51.	Ed 1109.04(b)(1)	6 out of 13 IEP files demonstrated written evidence documenting implementation of the IEP with regards to all special education services provided.
52.	Ed 1109.04(b)(1)	3 out of 5 IEP files demonstrated written evidence documenting implementation of the IEP with regards to all related services provided.
53.	Ed 1109.04(b)(2)	2 out of 3 IEP files demonstrated written evidence documenting implementation of the IEP with regards to any supplementary aids and services provided.
54.	Ed 1109.04(b)(3)	4 out of 5 IEP files demonstrated written evidence documenting implementation of the IEP with regards to program modifications made.
55.	Ed 1109.04(b)(3)	3 out of 4 IEP files demonstrated written <i>evidence</i> documenting implementation of the IEP with regards to supports provided for school personnel.

Corrective Action of Individual Instance of Noncompliance: For student file S, there was no evidence of a statement of special education. For student files B, D, L, Q, S, W, & Z, there was no written evidence documenting implementation of the IEP with regards to all special education services provided. For student files W, & Z, there was no written evidence documenting implementation of the IEP with regards to all related services provided. For student file Z, there was no written evidence documenting implementation of the IEP with regards to any supplementary aids and services provided. For student file B there was no written evidence documenting implementation of the IEP with regards to program modifications made. For student file Z, there was no written evidence documenting implementation of the IEP with regards to supports provided for school personnel.

Within 2 months of the date of this report, the district must amend student S’s IEP to include a statement of special education. The NHDOE will verify this through a subsequent on-site review.

Within 2 months of the date of this report, the district must ensure that there is written evidence documenting implementation of the IEPs with regards to all special education and related services provided for students B, D, L, Q, S, W, & Z; any supplementary aids and services provided for student Z; any program modifications made for student B; and any supports provided for school personnel implementing the IEP for student Z. The NHDOE will verify this through a subsequent on-site review.

Corrective Action regarding the Implementation of the Regulations: Develop a procedure and provide training to appropriate staff to include a statement of special education. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

Develop a procedure and provide training to appropriate staff for ensuring that there is written evidence documenting implementation of the IEP with regards to all special education and related services provided; any supplementary aids and services provided; program modifications made; and supports provided for school personnel implementing the IEP. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 2 student files at the Manchester School of Technology for updated data demonstrating compliance with ensuring the IEPs to include a statement of special education. The NHDOE will verify the evidence through a subsequent on-site review.

The NHDOE will select 9 student files (2 at Central, 2 at Memorial, 2 at the Manchester School of Technology, 3 at West) for updated data demonstrating compliance with ensuring that there is written evidence documenting implementation of the IEPs with regards to all special education and related services provided; any supplementary aids and services provided; any program modifications made; and any supports provided for school personnel implementing the IEP. The NHDOE will verify the evidence through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(5) Ed 1109.01(a)(1)		Definition of Individualized Education Program (Justification for Non-Participation)
Self-Assessment Question Number	Regulatory Component	Review Status
56.	34 CFR 300.320(a)(5) Ed 1109.01(a)(1)	6 out of 13 IEP files demonstrated evidence of an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in the supports and services section of the IEP.

Corrective Action of Individual Instance of Noncompliance: For student files B, F, H, K, L, Q, & Z, there was no evidence of an explanation of the extent, if any, to which the child did not participate with nondisabled children in the regular class and in the activities described in the supports and services section of the IEP.

Within 2 months of the date of this report, the district must amend the IEPs to include the explanation of the extent, if any, to which the child did not participate with nondisabled children in the regular class and in the activities described in the supports and services section of the IEP. The NHDOE will verify this through a subsequent on-site review.

Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to address the explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in the supports and services section of the IEP. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 13 new student files (4 at Central, 4 at Memorial, 3 at the Manchester School of Technology, 2 at West) for updated data demonstrating compliance with this requirement and will verify the evidence through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(6)(i) Ed 1109.01(a)(1)		Definition of Individualized Education Program (State and District Wide Assessments)
Self-Assessment Question Number	Regulatory Component	Review Status
57.	34 CFR 300.320(a)(6)(i) Ed 1109.01(a)(1)	10 out of 12 IEPs demonstrated evidence of a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments.
58.	34 CFR 300.320(a)(6)(ii)(A) Ed 1109.01(a)(1)	When the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or district wide assessment of student achievement, 1 out of 1 IEPs demonstrated evidence of a statement of why the child cannot participate in the regular assessment. <i>(There was one child taking an alternate assessment from the files reviewed.)</i>
59.	34 CFR 300.320(a)(6)(ii)(B) Ed 1109.01(a)(1)	When the child is taking an alternate assessment, 1 out of 1 IEPs demonstrated evidence describing why the particular alternate assessment selected is appropriate for the child. <i>(There was one child taking an alternate assessment from the files reviewed.)</i>
<p>Corrective Action of Individual Instance of Noncompliance: For <u>student files F & Q</u>, there was no evidence of a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments.</p> <p>Within 2 months of the date of this report, the district must amend the IEPs to include a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments. The NHDOE will verify this through a subsequent on-site review.</p> <p>Corrective Action regarding the Implementation of the Regulations: Provide training to appropriate staff to include a statement of any individual appropriate accommodations that are necessary to measure the academic</p>		

achievement and functional performance of the child on State and district wide assessments in IEPs. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 4 new student files (2 at Central, 2 at the Manchester School of Technology) for updated data demonstrating compliance with this requirement and will verify the evidence through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.121 Ed 1120.03		Procedural Safeguards (Written Prior Notice for IEP)
Self-Assessment Question Number	Regulatory Component	Review Status
60.	34 CFR 300.503(b)(1) Ed 1120.03(b)	5 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of the action proposed or refused by the agency.
61.	34 CFR 300.503(b)(2) Ed 1120.03(b)	8 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included an explanation of why the agency proposed or refused to take the action.
62.	34 CFR 300.503(b)(3) Ed 1120.03(b)	3 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action.
63.	34 CFR 300.503(b)(6) Ed 1120.03(b)	9 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other options that the IEP team considered and the reasons why those options were rejected.
64.	34 CFR 300.503(b)(7) Ed 1120.03(b)	10 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other factors that were relevant to the LEA's proposal or refusal.
65.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	14 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability was provided in the native language of the parent or other mode of communication used by the parent, unless it was clearly not feasible to do so.
<p>Corrective Action regarding the Implementation of the Regulations: For student files C, E, J, O, R, T, V, X, & AA, there was no evidence that the written prior notice for IEP included a description of the action proposed or refused by the agency. For student files A, C, E, R, AA, & AB, there was no evidence that the written prior notice for IEP included an explanation of why the agency proposed or refused to take the action. For student files A, C, E, I, J, R, T, V, X, AA, & AB, there was no evidence that the written prior notice for IEP included a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action. For student files C, E, O, R, & AA, there was no evidence that the written prior notice for IEP included a description of other options that the IEP team considered and the reasons why those options were rejected. For student files A, E, R, & X, there was no evidence that the written prior notice for IEP included a description of other factors that were relevant to the LEA's proposal or refusal.</p>		

Provide training to staff on completing the written prior notice for IEP in order for staff to appropriately document each component of a written prior notice. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 11 new student files (3 at Central, 2 at Memorial, 3 at the Manchester School of Technology, 3 at West) for updated data demonstrating compliance with the written prior notices for IEP being complete, including a description of the action proposed or refused by the agency, an explanation of why the agency proposed or refused to take the action, a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action, a description of other options that the IEP team considered and the reasons why those options were rejected, and a description of other factors that were relevant to the LEA's proposal or refusal. The NHDOE will verify compliance through a subsequent on-site review.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.503(b) Ed 1120.03(b)		Written Prior Notice (Placement)
Self-Assessment Question Number	Regulatory Component	Review Status
66.	34 CFR 300.503(b)(1) Ed 1120.03(b)	10 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of the action proposed or refused by the agency.
67.	34 CFR 300.503(b)(2) Ed 1120.03(b)	9 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included an explanation of why the agency proposed or refused to take the action.
68.	34 CFR 300.503(b)(3) Ed 1120.03(b)	5 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action.
69.	34 CFR 300.503(b)(6) Ed 1120.03(b)	11 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other options that the IEP team considered and the reasons why those options were rejected.
70.	34 CFR 300.503(b)(7) Ed 1120.03(b)	9 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability included a description of other factors that were relevant to the LEA's proposal or refusal.
71.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	14 out of 14 IEP files demonstrated evidence that the notice given to the parents of a child with a disability was provided in the native language of the parent or other mode of communication used by the parent, unless it was clearly not feasible to do so.
<p>Corrective Action regarding the Implementation of the Regulations: For student files E, I, R, & T, there was no evidence that the written prior notice for placement included a description of the action proposed or refused by the agency. For student files E, G, O, R, & AA, there was no evidence that the written prior notice for placement included an explanation of why the agency proposed or refused to take the action. For student files E, G, I, J, R, T, V, X, & AA, there was no evidence that the written prior notice for placement included a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action.</p>		

For student files E, G, & I, there was no evidence that the written prior notice for placement included a description of other options that the IEP team considered and the reasons why those options were rejected. For student files E, G, I, R, & X, there was no evidence that the written prior notice for placement included a description of other factors that were relevant to the LEA's proposal or refusal.

Provide training to staff on completing the written prior notice for placement in order for staff to appropriately document each component of a written prior notice. Provide a brief description of the trainings including the dates of the trainings and lists of staff in attendance to the NHDOE within 3 months from the date of this report.

The NHDOE will select 10 new student files (3 at Central, 2 at Memorial, 3 at the Manchester School of Technology, 2 at West) for updated data demonstrating compliance with the written prior notices for placement being complete, including a description of the action proposed or refused by the agency, an explanation of why the agency proposed or refused to take the action, a description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action, a description of other options that the IEP team considered and the reasons why those options were rejected, and a description of other factors that were relevant to the LEA's proposal or refusal. The NHDOE will verify compliance through a subsequent on-site review.