

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

**NASHUA CHILDREN'S HOME EDUCATIONAL
PROGRAM
SUMMARY REPORT**

**David Villiotti, Executive Director
Joanne Burdett Dion, Director of Special Education**

Chairperson(s), Visiting Team:
Jennifer Dolloff
Education Consultant

Site Visit Conducted on March 18 & 19, 2014
Date of Report: May 29, 2014
Revised Date of Report: June 24, 2014

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I. TEAM MEMBERS

Visiting Team Members:

NAME	PROFESSIONAL ROLE
Chairperson: Jennifer Dolloff	Education Consultant
Shelly Fagen	Director of Special Education
Andra Hall	Assistant Director of Education
John Tuttle	Director
Bridget Brown	NHDOE Education Consultant

Building Level Team Members from Nashua Children's Home:

NAME	PROFESSIONAL ROLE
Joanne Burdette Dion	Director of Special Education
Maria E. Barry	Classroom Teacher
Blair Parent	Classroom Aide
Dan Turcotte	Assistant Director of School Program
Kristi Casale	Special Education Teacher
Diane Labonte	Classroom Aide
Natasha Arruda	Guidance Counselor

INTRODUCTION

The Nashua Children’s Home Education Program located in Nashua, NH, is a private, nonprofit program that provides educational services to male and female students in grades 1-8, who range in age from 6-15. The Education Program is one of the programs offered by the larger organization, The Nashua Children’s Home (NCH). NCH was founded in 1903 as a private orphanage for homeless children in the greater Nashua Area. NCH operates four separate residences for children in need of care while out of their homes. While some of the children residing at NCH attend the Nashua Children’s Education Program, many attend public schools in Nashua or in their local, sending district. The Nashua Children’s Home Education Program is located in the main building on the campus of the Nashua Children’s Home (NCH).

The Nashua Children’s Home Education Program is approved for a maximum of 30 students with disabilities in the areas of Emotional Disturbance, Other Health Impairments, Specific Learning Disability and Intellectual Disability. The program does not accept out-of-state students. At the time of the visit 22 students with disabilities were enrolled in the program. Nashua Children’s Home Education Program is approved by the New Hampshire Department of Education as a Special Education and Nonpublic School.

Nashua Children’s Home submitted the following mission statement:

Nashua Children’s Home is committed to the care, welfare and educational achievement of children and youth within its Residential, Educational and Family Programs. Nashua Children’s Home provides care and stability to boys and girls unable to remain with their families, special education services for students who have not been successful in public school settings, and support for families struggling to remain intact.

It is the intent and mission of Nashua Children’s Home to provide support to families which will allow children and youth to grow up in families which are nurturing, protective and enriching to their lives and/or to provide sustained encouragement and stability to children and youth, preparing them for the challenges of adulthood. The mission of Nashua Children’s Home also includes the successful re-integration of students to public school settings.

Nashua Children’s Home works closely with families and referral agencies in the pursuit of this mission, striving to enhance the strengths of children and families while assisting with their needs.

SCHOOL DEMOGRAPHICS	2012-2013	2013-2014
Student Enrollment <u>as of October 1</u>	21	22
Do you accept out-of-state students? If so, list number from each state in 2013-14	no	
Number and Names of Sending New Hampshire LEAs (as of October 1, 2013)	(13) Nashua, Manchester, Hudson, Hampstead, E. Hampstead, Greenville, Bennington, Hollis, Marlboro, Keene, Antrim, Greenfield, New Ipswich	
# of Identified Students Suspended One or More Times	0	0
Average Length of Stay for Students	2.5 years	2 years
<u>STAFF DEMOGRAPHICS</u>		
Student/Teacher Ratio (as of October 1, 2013)	7/1	7/1

# of Certified Administrators	1	1
# of Certified Teachers	3	3
# of Current Teachers with Certification through Alt 4	0	0
# of Related Service Providers	4	5
# of Paraprofessionals	3	3
# of Professional Days Made Available to Staff	4 Full/8 Early Release	4 Full/8 Early Release

SPECIAL EDUCATION PROGRAM DATA <i>(please put NA if not approved for the disability)</i>		
Primary Disability Types:	2012-2013	2013-2014
Autism	NA	NA
Deaf / Blindness	NA	NA
Deafness	NA	NA
Developmental Delay	NA	NA
Emotional Disturbance	13	14
Hearing Impairment	NA	NA
Intellectual Disability	0	0
Multiple Disabilities	NA	NA
Orthopedic Impairment	NA	NA
Other Health Impairment	8	7
Specific Learning Disabilities	0	1
Speech or Language Impairment	NA	NA
Traumatic Brain Injury	NA	NA
Visual Impairment	NA	NA

II. PURPOSE AND DESIGN OF THE CASE STUDY COMPLIANCE REVIEW PROCESS

The New Hampshire Department of Education (NHDOE) conducted a Special Education Program Approval Visit to Nashua Children’s Home on March 18 & 19, 2014 for the purpose of reviewing the present status of programs and services made available to children and youth with educational disabilities. Program Approval Visits are conducted using a Case Study Model that is a focused review. This focused review permits the NHDOE to leverage its impact for change and improvement within private special education schools statewide, by focusing the attention of all educators on the following three areas of critical importance in the provision of FAPE for students with disabilities.

- Access to the General Curriculum
- Transition
- Behavior Strategies and Discipline

As part of this compliance review, students were randomly selected by the NHDOE prior to the visit, and staff was asked to present these students’ case studies at the visit to determine compliance with state and federal special education rules and regulations.

Other activities related to this NHDOE Case Study Compliance Visit included the review of:

- All application materials submitted
- Status of corrective actions since the last NHDOE Special Education Program Approval Visit
- Personnel credentials for special education staff (verified by NHDOE)
- Program descriptions
- All data collected during the visit

The New Hampshire Department of Education provided a visiting team of professional educators to work collaboratively with staff in each of the schools in conducting the Case Study Compliance Review and the varied data collection activities. Throughout the entire review process, the visiting team worked in collaboration with the staff of Nashua Children’s Home. Their professionalism, active involvement in the process and cooperation were greatly appreciated and well recognized.

Evidence of the work conducted and results related to student outcomes were gathered throughout the process, guided by the materials and templates provided by the NHDOE, Bureau of Special Education. Examples of evidence included student individual education programs (IEPs), progress reports, samples of student work, grades, extracurricular involvement, permanent records, curriculum, etc. Input was gathered from key constituents, including interviews with professional staff, parents, administrators, and in some cases the students. In addition, classroom observations were conducted for each of the case studies being reviewed. The collective data were summarized by the visiting and building level teams. The summaries, included in the following pages, outline identified areas of strength and areas needing improvement for each school reviewed.

IV. STATUS OF PREVIOUS NHDOE SPECIAL EDUCATION PROGRAM APPROVAL REPORT AND CORRECTIVE ACTIONS

Based on review of the June 10, 2009 NHDOE Special Education Program Approval Report, the following patterns were identified as needing improvement:

Findings of Noncompliance	Status as of May 27, 2010	Status as of March 18 & 19, 2014
Ed 1109.08 Equal Education Opportunity, Ed 1119.03 Access to the General Education Curriculum, Ed 1133.05 Program Requirements- Qualifications of staff In order for students to have full opportunities to earn a regular high school diploma and equal access to the general curriculum, Nashua Children’s Home needs to provide consultants to the staff in areas where they are not certified. This includes all of the requirements as listed in the “Minimum Standards for Public School Approval”. Several content area consultants were not in place at the time of the visit.	Met	Not Met
CFR 300.43, ED 1109.05 Implementation of IEP, ED 1109.01 Elements of IEP, CFR 300.320	Met	Not Met

Content of IEP IEP goals are not written in measureable terms.		
ED 1102 Transition Services, ED 1109.01 Elements of IEP, CFR 300.320 Content of IEP One student IEP did not include a statement of transition services.	Met	Met A review of one IEP of a 14 year old was reviewed and it included a statement of transition services.
Ed. 1114.04 Policies and Procedures Each private provider of special education or other non-LEA program shall have written policies which comply with the provisions of the IDEA and RSA 186-C. The policies and procedures provided for review referenced Individuals with Disabilities Act (IDEA) of 1997. Current policies and procedures must comply with IDEA 2007.	Met	Not Met

V. MARCH 18 & 19, 2014 CASE STUDY COMPLIANCE REVIEW RESULTS

Data collection is an important part of the NHDOE Special Education Case Study Compliance Review Process. In order to monitor whether or not special education programs are in compliance in the three focus areas, and determine any root causes of problems that may be identified through the case study process, it is essential that each case study team look deeply into the data that surrounds the three primary aspects of the Case Study Review. This process takes time, and the entire team working with the child being reviewed must be involved in collecting and analyzing the data, as well as presenting and summarizing the data with the visiting team. As such, NHDOE works with private schools to determine the number and type of case studies to be prepared and presented, and to ensure that building teams are not inundated with more data than can be fully analyzed, allowing them to reflect upon and generalize their newly found knowledge of their programs, practices, policies and procedures.

Three individual student case studies were randomly selected for the two-day visit to the Nashua Children's Home Education Program. The case studies involved students ranging in age from 9 to 14 in grades 1-8. One of the three students resides at Nashua Children's Home; the other students attend as day students.

LEA SURVEYS

Analysis of Response by Visiting Team Chairperson:

Five of the eight LEA surveys were returned, indicating a 63% response rate. All 5 LEAs reported agreement or strong agreement with the 19 questions asked. All 5 LEAs indicated they would enroll other students in the program. No areas of concern were noted when reviewing the survey results.

Private schools provide necessary options to New Hampshire students with educational disabilities. Effective partnerships with LEAs are an important part of establishing and implementing successful

private special education programs that improve student outcomes. By surveying LEA perceptions of current program(s), private schools can self assess these relationships and determine if there are areas in need of improvement. To this end, Nashua Children’s Home distributed the LEA Survey to the contact people in all LEAs that have students currently enrolled in the school. They received a 63% response from the LEAs.

SUMMARY REPORT OF SENDING LEAs

Name of Private School: Nashua Children’s Home Educational Program		
Total number of surveys sent: 8	Total # of completed surveys received: 5	Percent of response: 63%
Number of students placed by: LEA: 16	Court: 1	Parent: 0

SCALE 4 STRONGLY AGREE 3 AGREE 2 DISAGREE 1 STRONGLY DISAGREE

	4	3	2	1	No Answer
1. The private school has a curriculum fully aligned to NH Curriculum Frameworks/Common Core State Standards.	1	4			
2. I am satisfied the student has made progress in the educational curriculum at the above school.	2	3			
3. There is evidence of effective instruction aligned with fidelity to the curriculum.	2	3			
4. The school consistently follows special education rules and regulations.	2	2			1
5. The school has developed and implemented effective policies and procedures for management of student behavior including the use of aversives.	4	1			
6. The school has an effective behavioral management program.	4	1			
7. I am satisfied with the special education, related and other supplementary aids and services provided by the school.	3	2			
8. The school implements all parts of students’ IEPs including accommodations and modifications in both instruction and assessment.	4	1			
9. The school effectively uses data to measure academic growth and to inform instruction.	1	4			
10. The school uses data to measure behavioral growth and to inform instruction.	2	3			
11. A mid-year review and annual evaluation of the child’s progress relative to the IEP are conducted.	3	2			
12. The school has a comprehensive progress monitoring system that is communicated and provided to LEA and parents at least as often as the sending district (minimum 3 times per year).	4	1			
13. The progress monitoring reports describe the child’s progress toward meeting the IEP goals, include a record of attendance, and are written in terminology understandable to the parent.	3	2			
14. I am satisfied with the way the school communicates students’ progress to the parents and the LEA.	4	1			
15. The school actively plans for future transition to a less restrictive environment.	3	2			
16. The school implements all aspects of the transition services needs for students turning 14 during the IEP service period and Transition Services as outlined in Indicator 13 (16 years).		4			1
17. If the school finds it necessary to change or terminate placement, they notify the LEA by convening the IEP team to: review the concerns, review/revise the IEP, discuss the placement and determine if the facility can fully implement the IEP and provide FAPE.	1	4			
18. The school team sets meeting times that are convenient for both parents and the LEA.	2	2			1

19. I would enroll other students at the school.	4	1			
<p>Analysis of Response by Nashua Children’s Home:</p> <p>We found the responses to be good overall. The comments were very positive- “very pleased with the quality programming”, “I am very pleased with the work NCH does with the students we place there over the years- keep up the good work!” “Ms. Dion and her staff work diligently to meet the academic and social/emotional needs of their students. Communication with the district is consistent, as it is with parents and other members of the team.” We have never terminated placement with any of our current LEA’s, so we find #17 interesting. The results of questions regarding data and the Common Core are in-line with our goals. We are also pleased that they recognize the work we do with students in the social/emotional/affective areas, as that is what makes our program special.</p> <p>Included in the surveys were two LEA submitted suggestions:</p> <ul style="list-style-type: none"> • Expand the program to accept grades 9-12 • Consider offering summer programming <p>As a result of the Case Study Compliance Review, it was confirmed that at this time NCH will not be taking these suggestions under advisement as the suggestions do not align with their long term strategic plan.</p>					

PARENT PARTICIPATION

One of the defining features of effective schools is strong parent/community relations and open communication. Having parents as active stakeholders in the NHDOE Special Education Program Approval Process ensures broader perspectives and brings forth new ideas. In addition, including the parent perspective enhances and strengthens the teams’ case study presentations, and makes for stronger school/parent relationships. As such, parent participation and input is a required part of the NHDOE Special Education Program Approval Process. In order to ensure parent participation and feedback, the NHDOE, Bureau of Special Education involves parents in a variety of aspects of the Special Education Program Approval Process. First, parents are encouraged to be active participants in the case study presentations; second, parents of the children presented in the case study process are formally interviewed; and third, the school is required to send all parents of students with disabilities a written survey with a request to respond. Below is a summary of the results of the parent survey, along with a summary of the comments/feedback provided to the visiting team during this Case Study Compliance Review.

Analysis of Responses by Visiting Team Chairperson:

In total, 21 surveys were sent to current parents. Only 5 were returned, indicating a 24% response rate. Responses to the survey were overall very positive. Parents report feeling completely satisfied in most of the 22 areas and partially satisfied in 5. Staff at the Nashua Children’s Education Program may want to review the areas indicating partial agreement, including the following: opportunities to interact with nondisabled peers, sending schools consideration of least restrictive environment, parent involvement in the development of the IEP, student progress toward IEP goals, and planning and support for moves from grade to grade, up through 8th grade, and school to school.

SUMMARY OF PARENT SURVEY DATA

Name of Private School: Nashua Children's Home Educational Program		
Total number of surveys sent: 21	Total # of completed surveys received: 5	Percent of response: 24%

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

ACCESS TO THE GENERAL CURRICULUM:	3	2	1	No Answer
1. I am satisfied that my child has access to the general education curriculum (Academic IEP goals and school curriculum aligned with Common Core State Standards /NH Curriculum Frameworks).	4	1		
2. My child has opportunities to interact with non-disabled peers on a regular basis unless the IEP team has determined that the interaction is not appropriate/reasonable.	3	1		1
3. I am informed on a regular basis and with clear evidence of my child's progress in the general education curriculum.	5			
4. I understand that a variety of information (observations, test scores, results of evaluations, school work samples, behavioral data, etc) was considered in developing my child's IEP for this placement.	5			
5. I am satisfied that there is a direct connection between my child's needs and the components of his/her IEP and the supports and services ("reasonably calculated to provide educational benefit").	5			
6. I am satisfied that the sending school district has fully considered the Least Restrictive Environment in recommending this placement for my child (to the maximum extent appropriate, my child is educated with non-disabled peers).	4			1
7. I know whom to contact if I have questions about my child's placement or progress in this program.	5			
8. I am satisfied that the staff of this placement worked collaboratively with my school district in developing my child's current IEP.	5			
9. I have been involved in the development of my child's IEP.	5			
10. I am satisfied that my child is making progress toward his/her IEP goals.	5			
FOR PARENTS OF HIGH SCHOOL STUDENTS ONLY:				
11. My child earns credits toward a regular high school diploma in all of his/her classes.	-	-	-	-
12. My student will graduate with a high school diploma	-	-	-	-
TRANSITION:				
13. I am satisfied with the planning and support provided for my child as he/she moves from grade to grade, school to school, public school to private school.	5			
14. All of the people who are important to my child's transition were part of the planning (grade appropriate).	5			
15. All of the people/agencies who are required to be part of transition planning for my child were part of the transition process.	5			
16. FOR PARENTS OF STUDENTS AGE 16 OR OLDER ONLY: I am satisfied that my child's IEP meets all the requirements of Secondary Transition: measureable post-secondary goals, necessary supports and services, age-appropriate transition assessments, specific invitation to the Transition meeting, etc. (DOE Indicator #13)	-	-	-	-
17. I am satisfied that the post-secondary Transition Goals for my child are reviewed on a regular basis, have the necessary supports and services to be accomplished, are connected to annual IEP goals, and can lead my child to productive participation/activities post-graduation or post-21 years as appropriate.	2			

BEHAVIOR STRATEGIES AND DISCIPLINE:				
18. My child's classroom behaviors affect his/her ability to learn. <i>If the answer is yes, please answer the next two questions. If no, skip to OTHER.</i>	YES 2		NO 1	
	3	2	1	No Answer
19. I have been involved in the development of behavior interventions, strategies and supports for my child.	3	1		1
20. I am satisfied with the way the school is supporting my child's behavioral, social and developmental needs.	5			
OTHER:				
21. I fully participate in special education decisions regarding my child.	5			
22. I have been provided with a copy of the procedural safeguards (parental rights) at least once a year.	5			
<u>Analysis of Parent Survey Responses by Nashua Children's Home:</u>				
<p>We were very disappointed in the lack of response from parents. We sent them out with stamped return envelopes, sent our reminders, and only received 5 out of 21. The responses we did receive were very good with almost all responses in the "Completely" response boxes. Only one parent included comments- "My son's school has done so much for my son. Before attending his current school he wasn't reading or doing math- now he is progressing. I am so proud of my son and the progress this school has done."</p> <p>There was one mark in "partially" regarding access to the general curriculum and one regarding student interacting with non-disabled peers. There was also one regarding being involved in the development of behavior interventions, strategies and supports. We are continually working on improving the curriculum /Common Core area.</p> <p>We work diligently to get parents involved in their child's behavioral goal development and how we can do them in conjunction with supports the parents may need at home. We also discuss areas outside of school where students can have access to non-disabled peers after school, and include the LEA's as a resource for what might be available at the public schools or community. We have very few parents that want to participate in their child's program. We try to be flexible in our availability to meet their schedules. Some struggle with the distance as we are not a neighborhood school. Many of our weekly contacts are by phone.</p>				

**SUMMARY FROM THE THREE FOCUS AREAS OF THE
CASE STUDY COMPLIANCE REVIEW**

Access to the General Curriculum

Implementation of Individualized Education Programs (IEPs)

Provision of Non-Academic Services

Full Access to the District's Curriculum

Equal Education Opportunity

Based on the three March 2014 Case Study presentations, along with review of the supporting materials submitted, it was evident that the students enrolled in the Nashua Children's Home Education Program are provided with individualized instruction to ensure they are afforded the opportunity to access and progress in the general education curriculum with appropriate supports and

services. As part of the Case Study Compliance Review, the visiting team chairperson and visitors reviewed the curriculum and agreed it aligned with the New Hampshire Elementary curriculum standards and expectations. The Case Study Review also including a review of samples of student work and student observations. Administration and staff members reported sharing information regarding curriculum, instruction and assessment during weekly staff meetings and daily reviews. Teaching and support staff in classrooms monitor each student's response to instruction closely with a solid student to staff ratio. Technology is appropriately incorporated in the classroom instruction. Each classroom has computers and a very large computer screen for large group instruction. A computer room is also available for students on an individual basis or for large group lessons.

As part of determining whether or not students were being provided with full access to the general curriculum, IEPs were reviewed and three of the documents contained goals found not to be measureable. In order to increase access and educational opportunity, goals must be reviewed and if necessary revised to confirm they are measureable.

The Nashua Children's Home program does not currently have access to a full array of required consultants. In order to ensure access to the general education curriculum certified staff or consultants in all required areas must be on staff.

Transition

Transition Planning

Process: Provision of Free Appropriate Public Education (FAPE)

Transition Services

As students enter and depart from the education programming at NCH, the staff at Nashua Children's Home collaborates closely with parents, LEAs, and appropriate agencies when new students enter the program and current students depart from the program. Visitors and potential students are provided an honest and transparent overview and tour of the program prior to enrollment. Evaluations, IEPs and other appropriate documents are received from sending school districts in a timely manner, and special education, supplementary aids and/or related services described in each student IEP are delivered at the time of transition, as demonstrated during case studies and interviews. Students returning to less restrictive environments are supported by the staff via site visits.

Behavior Strategies and Discipline

The Nashua Children's Home Education Program implements a school wide positive behavioral support system called the Nashua Children's Home Behavioral Guidelines program. The program's focus is to establish a positive culture for care, welfare, and achievement of students. The staff training materials, an overview of the Nashua Children's Home Behavioral Guidelines program and protocols developed specifically for students were reviewed by the visiting team chairperson. These materials included the mission, behavioral guidelines, a list of the five overriding goals, skill training in apologizing, expectations for staff and students, a list of behavioral interventions, and limit setting tips. The protocols include training materials for staff and are well monitored and supervised. As evidenced during the three case studies presented and review of behavioral data, the student's response to this program is positive. Functional behavioral assessments are conducted for students in need of more specialized behavioral supports and an individual behavior management plan. Members of the community are required to maintain an attitude of respect and dignity; use language and body

responsibly, proactively cooperate, attend to health and safety needs, and honestly give their best effort.

SPECIAL EDUCATION POLICIES/ NHDOE BUREAU OF SCHOOL APPROVAL
NON-PUBLIC SCHOOL APPLICATION MATERIALS

In addition to the above noted focus areas for the case study presentations, material submitted as part of the application for program approval included: Health/Fire Facility Inspection Reports, the Private School Self Study, Special Education Policies and Procedures, Administrative Policy and Procedures, Current Program Information, and Personnel Roster and Consultant Roster Review and verification of these documents found the Nashua Children’s Home Education Program to be in compliance with all applicable New Hampshire Rules and the Education of Students with Disabilities and requirements for Non-Public Approval. There is however, a need for updating and refinement of existing policies and procedures, to ensure practices are current and comply with current NH Rules for the Education of Students with Disabilities. See systemic findings of noncompliance.

COMMENDATIONS

1. The Nashua Children’s Home Education Program administrators and staff are commended for their commitment to supporting and improving achievement levels, among the students enrolled in their program. Individual relationships are clearly an important part of the success of the program, as well as continuous improvement and high quality instruction provided for the students enrolled. The culture of quality and professionalism is evident throughout the school. This was noted during several discussions and multiple observations.
2. Visitors noted a spirit of collaboration among all staff that results in a consistent and caring environment focused on successful student outcomes. This was confirmed by discussions with students, LEAs and parents.
3. The Nashua Children’s Home Behavioral Guidelines program is thoughtfully developed and effective, as demonstrated by data collection practices. It appears to be central to the work of the staff and outcomes for students.

Number of Cases Reviewed During the Nashua Children’s Home, March 18 & 19, 2014, NHDOE Compliance Visitation

Preschool	0
Elementary School	2
Middle School	1
High School, Age Below 16	0
High School, Age 16 or Above	0
Number of Noncompliance for Indicator 13	0
Total Number of Case Studies Reviewed	3

FINDINGS OF NONCOMPLIANCE IDENTIFIED AS A RESULT OF THE FEBRUARY 18 & 19, 2014 CASE STUDY COMPLIANCE REVIEW

Findings of noncompliance are defined as deficiencies that have been identified through the Case Study Compliance Review Process, which are in violation of state and federal special education rules and regulations. Findings of noncompliance may result from review of policies and procedures and related application materials, case study presentations, review of student records or any other program approval activity related to the visit. **It is important to note that all findings of noncompliance listed below must be addressed in a corrective action plan and resolved within one year of this report. A template and instructions for such planning will be provided.**

Child Specific Findings of Noncompliance to be Addressed by Both the LEA and Private School Setting: *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.*

Ed 1109.01 (a)(1) Elements of an Individualized Education Program

34 CFR 300.320 (a)(2)(i) Definition of an Individualized Education Program

All 3 IEPs lacked measureable annual goals.

Responsible LEAs: Hollis School District, Hampstead School District, and Keene School District

Systemic Findings of Noncompliance to be Addressed by the Private School Setting

Please Note: *The NH Department of Education, Bureau of Special Education requires that Systemic Findings of Noncompliance be addressed in a corrective action plan and met within one year of the date of the report; a template and instructions for such planning will be provided.*

Ed 1109.01 (a)(1) Elements of an Individualized Education Program

34 CFR 300.320 (a)(2)(i) Definition of an Individualized Education Program

All 3 of the IEPs presented lacked measureable annual goals.

Ed. 1114.04 Administration

The Special Education Policies and Procedures need to be updated to ensure compliance with current NH Rules for Students with Disabilities amended as of December 1, 2010.

Ed 1114.05 (j) Program Requirements

Consultants must be available to the school if certified teachers or administrators in the required content areas are not on staff. NCH does not currently have a certified administrator as the certification of the Director of Special Education has lapsed and the individual is in process of seeking renewal of the certification.

SUGGESTIONS FOR PROGRAM-WIDE IMPROVEMENT

Suggestions for improvement, simply stated, are recommendations provided by the visiting team that are intended to strengthen and enhance programs, services, instruction and professional development, and the NHDOE strongly encourages that serious consideration be given to the suggestions. However, discretion may be used in this area; suggestions for improvement are not considered to be required corrective actions and you may determine which suggestions most warrant follow up and address those in your corrective action plan. **System wide suggestions for improvement are listed below.** It should be noted that, in the Building Level Data Summary Report on the following pages, any

suggestion made by a visiting team member that is actually a finding of noncompliance, has an asterisk (*) before it, and it is also listed above with the findings of noncompliance.

1. Consider additional outdoor experiences that can be provided year round to meet the sensory and gross motor needs of students.

VI. BUILDING LEVEL SUMMARY REPORTS

USING COMPLIANCE DATA FOR CONTINUOUS IMPROVEMENT

BUILDING LEVEL CASE STUDY DATA SUMMARY

NEW HAMPSHIRE DEPARTMENT OF EDUCATION SPECIAL EDUCATION PROGRAM APPROVAL AND IMPROVEMENT PROCESS

School: Nashua Children's Home	Date: March 18 and 19, 2014	
Programs: Nashua Children's Home School	Number of Cases Reviewed: 3	
Recorder/Summarizer: Andra Hall	Number of students reviewed age 16+: 0	Number of students age 16+ cited for Indicator 13: NA

CLEARLY PRINT NAMES OF ALL COLLABORATIVE TEAM MEMBERS

Name: Jen Dolloff	Position: Chairperson	Building Level or <u>Visiting</u> (circle one)
Name: Andra Hall	Position: Assistant Principal	Building Level or <u>Visiting</u> (circle one)
Name: John Tuttle	Position: Director of Education	Building Level or <u>Visiting</u> (circle one)
Name: Bridget Brown	Position: Education Consultant	Building Level or <u>Visiting</u> (circle one)
Name: Maria E. Barry	Position: Classroom Teacher	<u>Building Level</u> or Visiting (circle one)
Name: Blair Parent	Position: Classroom Aide	<u>Building Level</u> or Visiting (circle one)
Name: Dan Turcotte	Position: Assistant Dr. /Behavioral Spec.	<u>Building Level</u> or Visiting (circle one)
Name: Joanne Burdette Dion	Position: Director of Special Education	<u>Building Level</u> or Visiting (circle one)
Name: Kristi Casale	Position: Special Education Teacher	<u>Building Level</u> or Visiting (circle one)
Name: Diane Labonte	Position: Classroom Aide	<u>Building Level</u> or Visiting (circle one)
Name: Natasha Arruda	Position: School Therapist	<u>Building Level</u> or Visiting (circle one)

Based on data collected from the Data Collection Forms, Interview Forms, Classroom Observations, etc. the following summary is intended to provide a "snapshot" of the quality of services and programs in the school in the areas of: **Access to the General Curriculum, Transition and Behavior Strategies and Discipline.**

SUMMARIZE YOUR BUILDING LEVEL DATA

ACCESS TO THE GENERAL CURRICULUM STATEMENTS

Fill in the combined <u>number</u> of times a statement is marked on all Data Collection Forms for this school or building.			
	YES	NO	N/A
1. There is evidence that when developing the IEP the IEP Team considers: the strengths of the child; (ii) The concerns of the parents for enhancing the education of their child; (iii) The results of the initial or most recent evaluation of the child; and (iv) The academic, developmental, and functional needs of the child ¹ .	3		
2. There is evidence of a system among <i>all</i> staff members who provide direct services for the child, including instructional and residential, of their participation in the process of planning for that child and knowing the contents of the IEP and all other reports and evaluations, as appropriate to their roles and responsibilities ² .	3		
3. There is evidence that the Team uses multiple measures to design, implement and monitor the student's program ^{3,4} .	3		
4. All IEP goals are written in measurable terms ⁵ .		3	
5. Student's IEP has at least one functional goal (as applicable) ⁶ .	3		
6. There is evidence that the student has made progress in IEP Goals over the past three years ^{7, 8} .	3		
7. There is evidence that the special education, supplementary aids and/or related services described in the IEP have been delivered ⁹ .	3		
8. There is evidence that NH Minimum Standards for required subjects (credits) are met and provided to the student ¹⁰ .	3		

¹ Ed 1109.03 When an IEP Is in Effect; IEP Meetings; Development, Review, and Revision of an IEP; Transition Services; 34 CFR 300.324 Development, review, and revision of IEP

² Ed 1114.05(h) Program Requirements

³ Ed 1109.01 (a)(1) Elements of an Individualized Program; 34 CFR 300.320 (a) Definition of IEP

⁴ Ed. 1109.01 Elements of an Individualized Program; 34 CFR 300.320 (3)(i)(ii); Definition of IEP

⁵ Ed. 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

⁶ Ed 1102.01(u) Definitions Functional Goal *Functional goal* means a measurable outcome that is developed by the IEP team to address a need detailed in the analysis of the student's functional performance

⁷ Ed 1109.01 Elements of an IEP

⁸ Ed 1109.03 When an IEP Is in Effect; IEP Meetings; Development, Review, and Revision of an IEP; Transition Services; 34 CFR 300.324 Development, review, and revision of IEP

⁹ Ed 1109.04 (b) Copies of the IEP and evidence of implementation

¹⁰ Ed 1114.05 (g) Program Requirements 34 CFR 300.320 Content of IEP

9. There is evidence the student <u>has access to, is participating and progressing in</u> the general education curriculum (aligned with NH Curriculum Frameworks/CCSS) ¹¹ .	3		
10. There is evidence that the accommodations ¹² and/or modifications ¹³ , as described in the IEP allows the student to access, participate and show progress in the general curriculum ¹⁴ .	3		
11. There is evidence in the IEP of individual accommodations necessary to measure academic achievement or functional performance in state, school-wide or classroom assessments ^{15, 16} .	3		
12. There is evidence that supports and accommodations are provided to this student to allow participation in extracurricular and other non-academic activities ¹⁷ .	3		
13. There is evidence that the IEP team made the placement decision based on Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) ¹⁸ .	3		
14. There is evidence the student's IEP is reasonably calculated to result in educational benefit.	3		
For High School Students:			
Student is earning credits toward a regular high school diploma ¹⁹ .			
IF YES: within 4 years?			
Student will earn an IEP diploma or a certificate of completion ¹⁹ .			
IF YES: within 4 years?			
Does this school have a clear policy for earning a high school diploma ²⁰ ?			

¹¹ Ed 1113.08 Curricula; Ed. 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

¹² "Accommodation" means any change in instruction or evaluation determined necessary by the IEP team that does not impact the rigor and/or validity of the subject matter being taught or assessed.

¹³ "Modification" means any change 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.

¹⁴ Ed 1113.08 Curricula; Ed. 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

¹⁵ Ed 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

¹⁶ Ed 1109.01 Elements of an IEP; 34 CFR 300.320 (6)(i) Definition of Individualized Education Program

¹⁷ Ed 1113.08 Curricula; Ed 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

¹⁸ Ed 1111.02 Placement Decisions; 34 CFR 300.116 Placements

¹⁹ Ed 1113.13 Diplomas (a)(b)(c); 34 CFR 300.102 Limitation-Exception to FAPE for certain ages

²⁰ Ed 1114.05 Program Requirements (a)(b)

Access Strengths	Access Suggestions for Improvement
<ol style="list-style-type: none"> 1. Classroom teachers utilize multiple and creative ways to incorporate technology into lessons. 2. Daily collaborative rounds are held to ensure all staff is aware of things happening in the school and among students. 3. Staff longevity is strong, all teaching staff and administrative staff have been in their current roles for five or more years. 4. Multiple measures of assessment are used with students. This provides staff with objective data about student progress and their own classroom instruction. 5. The administration and staff actively seek out materials that align with common core to supplement instruction. The program is currently utilizing “Odysseyware” to supplement instruction and assist with alignment to the common core. 	<ol style="list-style-type: none"> 1. Continue to explore ways to enhance collaboration with LEAs. It was reported that some LEAs are less participatory than others. 2. Consider additional ways to provide outdoor experiences year round. This will ensure student sensory and gross motor needs are met during difficult weather.

TRANSITION STATEMENTS²¹

Fill in the combined <u>number</u> of times a statement is marked on all Data Collection Forms for this school or building.		
	YES	NO
1. There is evidence that at the time of transition the evaluation summary and other related documents were received in a timely manner ²² .	3	
2. There is evidence and documentation that special education, supplementary aids and/or related services described in the IEP were delivered at the time of transition ²³ .	3	
3. There is evidence that the information on this student has been shared between each transition including school to school, grade to grade and teacher to teacher including academic and behavior ²⁴ .	3	
4. There is evidence that the placement decision is made at least annually by the IEP team with consideration that the student is placed in the least restrictive environment ²⁵ .	3	
5. There is evidence that there is collaboration between the LEA and the non-public school in the development, review and revision of the IEP ²⁶ .	3	
6. There is evidence of a collaboration process between general and special education staff in the development, review and revision of IEPs, including transition planning for this student ²⁷ .	3	
7. There is evidence that the student and parents have been involved in transition discussions and activities ²⁸ .	3	
8. If the student turned 14 during the IEP period (or younger if determined by the IEP team), there is evidence that the IEP includes a statement of transition service needs that focuses on the students courses of study ²⁹ .	1	

²¹ This includes movement from (a) Early Supports and Services (ESS) to preschool, b) preschool to elementary school, or (c) age 16 or older, as well as from grade to grade and school to school.

²² 34 CFR 300.323(g) Transmittal of records

²³ Ed 1114.06 Responsibilities of Private Providers of Special Education or Other Non- LEA Programs in the Implementation of IEPs.

²⁴ Ed 1114.05 Program Requirements

²⁵ Ed 1111.02 Placement Decisions; 34 CFR 300.116 Placements

²⁶ Ed 1109.05 IEPs for Children Placed in Private Providers of Special Education or other non-LEA Programs by Public Agencies; 34 CFR 300.325 Private school placements by public agencies

²⁷ Ed 1103.01 IEP Team; 34 CFR 300.321 IEP Team

²⁸ Ed 1103.01 IEP Team; 34 CFR 300.321 IEP Team

²⁹ Ed 1109.01 (10) Elements of the individualized education program

9. If the student turned 16 during the IEP period, there is evidence that the transition plan is designed within a results-oriented process focused on improving academic and functional improvement to facilitate his or her movement from school to post-school goals and activities ³⁰ .	NA	
10. There is evidence that outside agencies who are involved with this student's transition have participated in transition planning (e.g. DCYF, DJJS, and Area Agency) ³¹ .	3	

TRANSITION STATEMENTS	YES	NO
(Transition questions must be answered Yes or No, not N/A)		
For a student who will turn age 14 during the IEP service period (or younger if determined appropriate by the IEP team): The IEP includes a statement of the transition service needs that focuses on the student's course of study, such as participation in advanced-placement courses or a vocational education program	1	
For students under age 16, answer only the first 4 statements above. Then skip to the next page. If the student is age 16 or older during the course of the IEP, answer all statements on this page. (required data for federal statistics purposes)		
1. Is there an appropriate measurable postsecondary goal or goals that covers education OR training AND employment, and, as needed, independent living?		
<i>Can the goal(s) be counted? Will the goal(s) occur after the student graduates from school? Based on the information available about this student, does (do) the postsecondary goal(s) seem appropriate for this student? • If yes to all three, then check Y OR if a postsecondary goal(s) is (are) not stated, check N.</i>		
2. Is (are) the postsecondary goal(s) updated annually?		
<i>Was (were) the postsecondary goal(s) addressed/ updated in conjunction with the development of the current IEP? • If yes, then check Y OR If the postsecondary goal(s) was (were) not updated with the current IEP, check N.</i>		
3. Is there evidence that the measurable postsecondary goal(s) were based on age appropriate transition assessment?		
<i>Is the use of transition assessment(s) for the postsecondary goal(s) mentioned in the IEP or evident in the student's file? • If yes, then check Y OR if no, then check N.</i>		
4. Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goal(s)?		

³⁰ Ed 1109.01 (a)(10) Elements of an IEP; 34 CFR 300.320 Definition of an IEP (b); 34 CFR 300.43 Transition Services (a)(1)

³¹ Ed 1103.01 IEP Team; 34 CFR 300.321 IEP Team

<p><i>Is a type of instruction, related service, community experience, or development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills, and provision of a functional vocational evaluation listed in association with meeting the post-secondary goal(s)?</i></p> <ul style="list-style-type: none"> • If yes, then check Y OR if no, then check N. 			
<p>5. Do the transition services include courses of study that will reasonably enable the student to meet his or her postsecondary goal(s)?</p>			
<p><i>Do the transition services include courses of study that align with the student's postsecondary goal(s)?</i></p> <ul style="list-style-type: none"> • If yes, then check Y OR if no, then check N. 			
<p>6. Is (are) there annual IEP goal(s) related to the student's transition services needs?</p>			
<p><i>Is (are) an annual goal(s) included in the IEP that is/are related to the student's transition services needs?</i></p> <ul style="list-style-type: none"> • If yes, then check Y OR if no, then check N. 			
<p>7. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?</p>			
<p>8. <i>For the current year, is there documented evidence in the IEP or cumulative folder that the student was invited to attend the IEP Team meeting?</i></p> <ul style="list-style-type: none"> • If yes, then check Y OR if no, then check N. 			
<p>Only the following statement may be answered N/A if appropriate. <u>All statements above must be answered Yes or No.</u></p>	YES	NO	N/A
<p>9. If appropriate, is there evidence that a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority?</p>			
<p>10. <i>For the current year, is there evidence in the IEP that representatives of any of the following agencies/services were invited to participate in the IEP development including but not limited to: postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation for this post-secondary goal?</i></p> <p><i>Was consent obtained from the parent (or student, for a student the age of majority)?</i></p> <ul style="list-style-type: none"> • If yes to both, then check Y. • If no invitation is evident and a participating agency is likely to be responsible for providing or paying for transition services and there was consent to invite them to the IEP meeting, then check N. • If it is too early to determine if the student will need outside agency involvement, or no agency is likely to provide or pay for transition services, check NA. • If parent or individual student consent (when appropriate) was not provided, check NA. 			
<p>11. Student is informed prior to age 17 of his/her rights under IDEA³².</p>			
<p>12. Does the IEP meet the requirements of Indicator 13? (Check one) Yes (all Ys or NAs for each item (1 – 10) on the Checklist or No (one or more Ns checked)</p>			

³² Ed 1120.01 Applicability; Transfer of Rights 34 CFR 300.320 (c) Transfer of Rights at age of majority

13. There is evidence of the summary of the student's academic achievement and functional performance , which includes recommendations on how to assist the student in meeting his or her post-secondary goals ³³ .			
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³³ Ed 1109.04 Copies of the IEP and Evidence of Implementation (c) 34 CFR 300.305 (e)(2)

Transition Strengths	Transition Suggestions for Improvement
<ol style="list-style-type: none">1. Collaboration with parents and LEAs is strong.2. Staff collaborates internally on a daily basis, making transitions from class to class run smoothly.3. Students and parents interested in attending the program are given tours and provided with comprehensive information about all parts of the program.	

BEHAVIOR STRATEGIES AND DISCIPLINE

Fill in the combined <u>number</u> of times a statement is marked on all Data Collection Forms for this school or building		
	YES	NO
1. There is evidence that, where it has been determined that a child's behavior impedes learning, the use of positive behavioral interventions and supports, and other strategies to address that behavior have been implemented ³⁴ .	3	
2. There is evidence that data are used to determine impact of student behavior on his/her learning.	3	
3. There is evidence that the IEP team conducted a functional behavior assessment of the student's behavior ³⁵ .	1	
4. If appropriate, there is evidence that the IEP team developed a behavior intervention plan that described strategies and supports ³⁶ .	0	
5. There is evidence that the interventions, strategies and supports have been developed to address the student's behavior ³⁷ .	3	
6. There is evidence that positive interventions, strategies and supports been communicated to the student, parents and key school personnel ³⁸ .	3	
7. There is evidence that professional development, and specialized training has been provided to staff, parents, providers and others as appropriate to support the implementation of the behavior plan and strategies ³⁹ .	3	
8. If aversive behavioral interventions were used, there is evidence that they were authorized in writing by a physician, and the IEP team, and included in the student's IEP ^{40,41} .	3	
9. There is evidence that that the team uses data to demonstrate the results of the behavioral interventions, strategies and supports ⁴² .	3	
10. A school-wide behavior intervention model exists.	3	

³⁴ Ed 1114.07 Behavioral Interventions; Ed 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

³⁵ Ed 1124.01 (f)(1)(i)(ii) Disciplinary Procedures; 34 CFR 300.530 Authority of school personnel

³⁶ Ed 1102.01 Definitions (n)

³⁷ Ed 1114.07 Behavioral Interventions

³⁸ Ed 1114.05 Program Requirements

³⁹ Ed 1114.10 Qualifications and Requirements for Instructional, Administrative, and Support Personnel

⁴⁰ Ed 1113.06 (a)(b) Use of Aversive Behavioral Interventions "Aversive Behavioral Interventions" mean (1) A non-medical mechanical restraint that physically restricts student's movement; and (2) physical restraint, not in response to a threat of imminent, serious, physical harm.

⁴¹ Ed 1114.09 Use of Aversive Behavioral Interventions

⁴² Ed 1114.07 (a) Behavioral Interventions

Behavior Strategy Strengths	Behavior Strategy Suggestions for Improvement
<ol style="list-style-type: none"> 1. The building wide behavioral philosophy and guidelines followed by students and staff is thoughtful and appears to be very effective. This is supported by data gathered regarding discipline and time out of the classroom. 2. Students report feeling respected and supported. This was the case with all three students involved in case studies. 3. A sense of community and pride is apparent among all members of the program. 4. Staff consistently reported feeling supported by administration. 	<ol style="list-style-type: none"> 1. Consider ways in which to make the quiet room more therapeutic in nature and more sensory based, while also maintaining necessary level of safety and order.