

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

**SPECIAL EDUCATION COMPLIANCE &
IMPROVEMENT MONITORING REVIEW
REPORT**

**Profile School District
2017-2018**

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Compliance & Improvement Monitoring Visit
Conducted on November 6, 2017
Report Date: December 12, 2017

Overview of the Special Education Compliance & Improvement 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, New Hampshire Statutes, and the New Hampshire Standards 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 & Improvement Monitoring review is one method that the New Hampshire Department of Education (NHDOE), Bureau of Special Education (Bureau) utilizes to implement the general supervision system. The Special Education Compliance & Monitoring review is comprised of:

- Special Education Procedures, and Effective Implementation
- District Special Education Forms and Effective Implementation
- Special Education Personnel
- Program Visits
- Identification of Recommended Preventive Actions
- Monitoring of Special Education Process
- Improvement, Correction, Assistance, and Enforcement

The intent of the Compliance & Improvement Monitoring review is to improve student outcomes for students with IEPs by:

- Ensuring districts understand and are implementing special education requirements in accordance with the New Hampshire Standards for the Education

of Children with Disabilities, New Hampshire State Statutes, and the Individuals with Disabilities Act (IDEA); and

- Improving special education procedures, and practices.
- Identifying and supporting correction of noncompliance, consistent with Office of Special Education Programs (OSEP) Memo 09-02.

The Bureau of Special Education followed a standard process to select districts to participate in the Special Education Compliance & Improvement Monitoring review. Each district was sorted into one of six cohort groups based on size using the current October 1st fall enrollment. The Bureau utilized a multi-data approach which aligns with the OSEP differentiated monitoring approach to determine the district in each cohort group with the highest need based on the District Determinations; the State Performance Plan (SPP) Indicators: (4B) Suspension/Expulsion, (5A) Education Environments, (6A) Preschool Environments, (11) Child Find, and (12) Early Childhood Transition; and state special education complaints.

Once a district was selected, the Bureau of Special Education contacted the district to discuss the Special Education Compliance & Improvement Monitoring review with the school administration. The Profile School District was selected through this process. The Profile School District is comprised of two schools: the Profile Junior High School with a grade span of 7-8, and the Profile High School with a grade span of 9-12.

The Bureau also provided targeted professional development regarding the Special Education Compliance & Improvement Monitoring review process and completion of the self-assessment data collection form. The district was provided with a list of 12 students with disabilities representative of the schools based on grade level, disability, gender, special education program, and case manager. At the time of the selection of students, the information entered into the New Hampshire Special Education Information System (NHSEIS) indicated that there were no students enrolled in charter schools and no students placed by the district in approved out-of-state special education programs for the Profile School District. During the onsite visit, the monitoring team selected a total of 8 of the 12 student files to review.

The district fall enrollment for October 1, 2016 showed that there were a total of 218 students enrolled in the Profile School District which had a grade span of seventh through twelfth grade. The district data profiles for October 1, 2016 indicated that there were 31 students in the Profile School District who were identified with disabilities.

The monitoring visit conducted on November 6, 2017 consisted of NHDOE team members and one visiting special education administrator verifying district-identified evidence on the self-assessment data collection form. While the district completed the entire self-assessment, each file was reviewed, covering either Parts 1 & 3 (encompassing questions 1-2 and 31-65) or covering Parts 2 & 4 (encompassing questions 3-30 and 66-71).

The district was encouraged to invite their special education staff as well as related service providers and regular education staff, if appropriate, to attend the review. For the staff

who attended the review, this provided another targeted professional development opportunity. Staff members were provided the opportunity to learn about implementing IDEA, New Hampshire Statutes, and the New Hampshire Standards 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 NHDOE, Bureau review members for this Compliance & Improvement Monitoring review included: Lori Noordergraaf and Joanne DeBello. The special education administrator participating in this Compliance & Improvement Monitoring review was Miki McGee, Director of Special Education from the Lyme School District.

Special Education Procedures and Effective Implementation

Each district must have special education procedures, and effective implementation of practices that are aligned and support the implementation of IDEA, New Hampshire Statutes, and the New Hampshire Standards for the Education of Children with Disabilities. As part of the special education Compliance & Improvement Monitoring review, the monitoring team reviewed the district's special education procedures plan for compliance.

In addition, the Bureau cross checked the Annual Request for Federal Special Education Funds FY 17, IDEA Part B Section 611 Assurances - District Policies to Support Assurance Standards to ensure that document name, date adopted, and pages were valid with the district's special education procedures plan. Districts are required to submit assurance statements with their local application for IDEA funds.

The monitoring team reviewed the district's special education procedures plan for the following components.

- Child Find pursuant to 34 CFR 300.111; Ed 1105;
- Confidentiality of Information pursuant to 34 CFR 300.610 – 300.627; Ed 1119;
- Special Education Facilities, Personnel and Services pursuant to Ed 1126.01(b)(3)
- Personnel Development pursuant to Ed 1126.01(b)(4)
- Parent Involvement pursuant to Ed 1126.01(b)(5)
- Public Participation pursuant to Ed 1126.01(b)(6)
- Procedural Safeguards pursuant to 34 CFR 300.121; Ed 1126.01(b)(7);
- Pupil Evaluation to Placement 34 CFR 300.300 – 300.311; Ed 1126.01(b)(8)
- Specific Learning Disabilities -Evaluation pursuant to 34 CFR 300.307; Ed 1107; Ed 1107.02
- The Individualized Education Program pursuant to 34 CFR 300.112; Ed 1109; Ed 1109.06(a)
- Placement of Children with Disabilities pursuant to 34 CFR 300.115; Ed 1111
- 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 300.132(a); Ed 1126.01(b) (11).

Based on the review of the Profile School District's special education procedures plan, the monitoring team determined there were **7 findings of noncompliance** that must be corrected as soon as possible but no later than six months from the date of this report.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
1. Ed 1101.01	New Hampshire Standards for the Education of Children with Disabilities
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the Profile School District's special education procedures manual included descriptions and rule citations that were not based on the current New Hampshire Standards for the Education of Children with Disabilities. The district is responsible for ensuring that the procedures are current with recent changes in federal regulations, state laws, and New Hampshire Standards for the Education of Children with Disabilities.</p>	
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile School District must revise its procedures manual to reflect the current New Hampshire Standards for the Education of Children with Disabilities, adopted March 23, 2017, as well as how school staff is informed of the new practices within 6 months of the date of this report.</p>	
<p>Submit to the NHDOE.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
2. Ed 1105.02(a)	Child Find
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the special education procedures manual included the district's established referral procedures; however, the information regarding referral timelines was not based on the current New Hampshire Standards for the Education of Children with Disabilities.</p>	
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile School District must revise its procedures manual to reflect updates in the New Hampshire Standards for the Education of Children with Disabilities, adopted March 23, 2017, as well as how school staff is informed of the new practices within 6 months of the date of this report.</p>	
<p>Submit to the NHDOE.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
3. 34 CFR 300.610; Ed 1119.01(a)	Confidentiality; Confidentiality of Information
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the special education procedures manual regarding children's rights and disciplinary information included rule citations that were not reflective of current New Hampshire Standards for the Education of Children with Disabilities.</p>	
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile School District must revise its Procedures manual to reflect updates in the New Hampshire Standards for the Education of Children with Disabilities, adopted March 23, 2017, as well as how school staff is informed of the new practices within 6 months of the date of this report.</p>	
<p>Submit to the NHDOE.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
4. 34 CFR 300.307(b); Ed 1107.02(b)	Specific Learning Disabilities; Evaluation
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the special</p>	

education procedures manual included the district’s evaluation procedures and standards that will be used to evaluate whether a child has a specific learning disability; however the manual refers to appendices that are not included, as well as rule citations that do not exist in the current New Hampshire Standards for the Education of Children with Disabilities. Additionally, the time extension for an evaluation is not reflective of the current New Hampshire Standards for the Education of Children with Disabilities regarding when an extension may or may not be allowed.

Corrective Action Regarding the Implementation of the Regulations: The Profile School District must revise its Procedures to reflect updates in the New Hampshire Standards for the Education of Children with Disabilities, adopted March 23, 2017, as well as how school staff is informed of the new practices within 6 months of the date of this report.

Submit to the NHDOE.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
5. 34 CFR 300.115(a); Ed 1111.02(b)	Continuum of Alternative Placements; Placement of Children with Disabilities
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the special education procedures manual included the district’s continuum of alternative placements; however, there were incorrect rule citations and language for Home Instruction, as well as references to rules and tables that does not correspond to the current New Hampshire Standards for the Education of Children with Disabilities.</p>	
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile School District must revise its Procedures to reflect updates in the New Hampshire Standards for the Education of Children with Disabilities, adopted March 23, 2017, as well as how school staff is informed of the new practices within 6 months of the date of this report.</p>	
<p>Submit to the NHDOE.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
6. Ed 1126 .01(b)(3)	State Department of Education Monitoring of Educational Services and Programs for Children with Disabilities
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the special education procedures manual did not include a detailed description of all facilities, personnel, and services the LEA is required to make available in those instances where the educational needs of the child with a disability cannot be met in a regular education setting:</p> <ul style="list-style-type: none"> a. Regional programs the LEA shall make available to children with disabilities; b. Non-public schools within the LEA serving children with disabilities; c. Non-public schools the LEA shall use for out-of-LEA placements for children with disabilities; and d. Vocational programs the LEA shall provide for children with disabilities; 	
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile School District must revise its Procedures to include a detailed description of all facilities, personnel, and services the LEA is required to make available in those instances where the educational needs of the child with a disability cannot be met in a regular education setting:</p> <ul style="list-style-type: none"> a. Regional programs the LEA shall make available to children with disabilities; b. Non-public schools within the LEA serving children with disabilities; c. Non-public schools the LEA shall use for out-of-LEA placements for children with disabilities; and d. Vocational programs the LEA shall provide for children with disabilities, as well as how school staff is informed of the new practices within 6 months of the date of this report. 	
<p>Submit to the NHDOE.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
7. Ed 1126.01(b)(5)	State Department of Education Monitoring of Educational Services and Programs for Children with Disabilities
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the special education procedures manual included information regarding parent participation that does not comply with applicable state and federal rules, allowing a meeting to continue if a parent requests that a meeting continue without them in attendance.</p>	
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile School District must revise its Procedures to reflect updates in the New Hampshire Standards for the Education of Children with Disabilities, adopted March 23, 2017, as well as how school staff is informed of the new practices within 6 months of the date of this report.</p>	
<p>Submit to the NHDOE.</p>	

District Special Education Forms and Effective Implementation

As part of the review of The Profile 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 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 1119.01(a)
- Notice of Special Education Meeting pursuant to 34 CFR 300.322; Ed 1103.02
- Parental Permission to Waive Time Limits for Written Notice pursuant to Ed 1103.02(d)
- Written Prior Notice pursuant to 34 CFR 300.503; Ed 1120.03
- Specific Learning Disability Eligibility Determination Documentation pursuant to 34 CFR 300.311; Ed 1107.02
- Evaluation Report pursuant to Ed 1107.05(a),(b)
- Procedural Safeguard Notice pursuant to 34 CFR 300.504; Ed 1120
- Age of Majority pursuant to 34 CFR 300.320(c); Ed 1120.01(b)
- Annual Notification when Proposing Accessing Public and Private Insurance pursuant to 34 CFR 300.154(d)(2)(v); Ed 1120.08(a)

Based on the review of the Profile School District’s special education forms, the NHDOE determined that there were **3 findings of noncompliance** that must be corrected as soon as possible but no later than three months from the date of this report.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
1. Ed 1103.02(d)	Parent Participation
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the district’s form “Notification of Special Education Meeting” is compliant, and contains a section for parents to waive the 10 day meeting notification requirement; however, a separate form entitled “Parental Permission to Extend /Waive Time Limits” is not compliant as the form allows for timelines that cannot be waived to be waived. Additionally, this form has another section that allows for a 15 day extension to complete evaluations which is not reflective of the current New Hampshire Rules for the Education of Children with</p>	

Disabilities.
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile School District must immediately notify staff to stop using the district created form “Parental Permission to Extend /Waive Time Limits”, and either use the district form entitled “Notification of Special Education Meeting” in order to notify parents of a meeting and obtain parent signature of a waiver of the 10 day notification of meeting, or revise the “Parental Permission to Extend / Waive Time Limits” to only reflect timelines that can be waived.</p> <p>Provide the revised form, if the district chooses to revise the “Parental Permission to Extend/Waive Time Limits” form.</p> <p>Provide 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> <p>Submit to the NHDOE.</p>

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
2. Ed 1107.05(a),(b)(2) & (3); Ed 1107.03	Evaluation Report
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the district’s form “Diagnostic Summary Report” does comply with Ed 1107.05(a)(1); however this form does not comply with Ed 1107.05(b(2) &(3). Additionally, this form includes a statement regarding extensions which does not comply with current New Hampshire Standards for the Education of Children with Disabilities.</p>	
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile School District must immediately notify staff to stop using the district created form “Diagnostic Summary Report”. The Profile School District must revise its “Diagnostic Summary Report” form to meet the criteria in Ed1107.05 (b) (2) & (3).</p> <p>Additionally, the Profile School District must revise all references to evaluation extensions to be in accordance with Ed 1107.01(c), (d) & (e).</p> <p>Provide the revised form that includes a space for a written summary of the findings, and addresses the parent’s rights of appeal in accordance with Ed 1123 and a description of the parent’s right to an independent evaluation in accordance with Ed 1107.03, and if the Profile School District chooses to keep information regarding extensions on this form, this must be revised in accordance with Ed 1107.01(c), (d) & (e).</p> <p>Provide 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> <p>Submit to the NHDOE.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
3. 34 CFR 300.311; Ed 1107.02	Specific Learning Disability Eligibility Determination Documentation
<p>Finding of Noncompliance: When the monitoring team was verifying the evidence of compliance, the district’s form “Specific Learning Disability Eligibility Checklist” does comply with Ed 1107.02 as the form is limiting.</p>	

Corrective Action Regarding the Implementation of the Regulations: The Profile School District must immediately notify staff to stop using the district created form “Specific Learning Disability Checklist”. The Profile School District must revise its “Specific Learning Disability Eligibility Checklist” form to meet the criteria in Ed 1107.02 so that the form is not limiting.

Provide the revised “Specific Learning Disability Eligibility Checklist” form and 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.

Submit to the NHDOE.

Special Education Personnel

The Bureau reviewed the Profile School District special education staff certifications using the New Hampshire Educator Information System. The review process was for special education staff employed during 2017-2018 school year.

The data for Profile School District was generated on November 1, 2017. 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 monitoring team determined there was **1 finding of noncompliance**.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
1. 34 CFR 300.18; 34 CFR 300.156; Ed 1113.12(a)	Personnel Standards
<p>Finding of Noncompliance: Profile School District</p> <ul style="list-style-type: none"> A staff member has a Subject/Assignment in Special Education Administrator; however has an endorsement in General Special Education. 	
<p>Corrective Action Regarding the Implementation of the Regulations: The Profile District must provide the NHDOE with evidence that resolves the discrepancies between subject/assignments and endorsements with the staff member at the Profile School District. Provide the updated information to the NHDOE as soon as possible but no later than 6 months from the date of this report.</p>	

The district was notified of the concerns listed above. Staff specific information was shared with the district.

Recommended Preventive Actions

When reviewing the district's forms, it had been revealed that the district's forms have the potential to become noncompliant. The NHDOE 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.

- The Profile District is one of five districts within the same School Administrative Unit (SAU), with one Special Education Director and one Superintendent for the SAU. The Profile School District consists of grades seven through twelve. Other districts within the SAU send students to the Profile Middle / High School. When the monitoring team was reviewing the Profile district forms, it was noted that all forms have a heading that states "SAU 35", which implies that all the other districts in the SAU also utilize these forms. While at the monitoring on-site visit, it was revealed that although the different districts within SAU 35 may utilize the same forms, each district appeared to have different processes in place for how these forms are used and filled in. The Profile School District, in conjunction with the special education director, may want to consider providing training across the SAU in order to clarify and allow for consistent use of forms that are used throughout the SAU.
- During the monitoring on-site visit, it was noted that the Profile School District had different practices when students with IEPs transferred in from districts outside of the SAU versus those students with IEPs who transferred to the Profile School District from within the SAU. The Profile District may want to consider developing procedures that are used for any student with an IEP who transfers to the Profile District so that there is a consistent process in place.
- When the monitoring team was reviewing the Profile School District's Written Prior Notice form, it was noted that the Profile School District has combined two forms into one; the "Written Prior Notice" form and the "Summary of Team Meeting" form. Although the Profile School District's Written Prior Notice section of the form is compliant, the district may want to consider separating the "Summary of Team Meeting" from the "Written Prior Notice" into two separate forms, as they are separate documents with different purposes and uses.
- When reviewing the "Notice of Special Education Team Meeting" form, and the "Summary of Team Meeting" form, it was noted that each form includes a checkbox that is for both Extended School Year and Placement. The Profile School District should consider having a separate check box for each as Extended School year is a service, not a placement.
- When reviewing the Profile School District's "Age of Majority" form, it was noted that the form includes incorrect rule citations and a law in quotes that has unclear origins. The district may want to consider revising this form, or using the signature section included in NHSEIS for this purpose.

Program Visits

The purpose of the program visits has been to observe the district's full range of opportunities for the child with a disability that cannot be met in a regular education setting. Per Ed 1111, districts shall ensure that children with disabilities are educated with children who do not have disabilities to the maximum extent appropriate and that removal from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. School districts shall comply with the requirements of 34 CFR 300.115, relative to continuum of alternative placements.

Based on the review of the special education programs, the monitoring team found that the school district was in compliance with Ed 1111.

Monitoring of Special Education Process

Districts are responsible for implementing the special education process in accordance with IDEA, New Hampshire Statutes, and the New Hampshire Standards 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 Standards 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 Standards for the Education of Children with Disabilities or a requirement of solely the New Hampshire Standards for the Education of Children with Disabilities. During the monitoring visit, the monitoring team verified the evidence of compliance based on the 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 Standards 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 is not 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 three months of 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's 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 student files, selected typically within one year of the original on-site compliance & improvement monitoring.

Overview of the Student Specific Findings of Noncompliance

The chart below identifies the area of compliance based on student files that were reviewed by the Compliance & 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 Standards 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 & 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 “*1 out of 3 files demonstrated a record of parties that have obtained access to the education records collected or used under Part B of the Act. For student files A & B, there was insufficient evidence demonstrating compliance with this requirement* ” This means that 3 files were reviewed and 1 file was found to be in compliance and students A & B were found to be noncompliant.

In cases where there was a finding of noncompliance for a particular student, the chart identifies the **First Stage Corrective Action of Student Specific Instance(s) of Noncompliance**. 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. For the First Stage Corrective Actions, the NHDOE will return to the district within 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.

In cases where there was a finding of noncompliance for a particular student, the next section of the chart identifies the **First Stage Corrective Action Regarding the Implementation of the Regulation**. This section will 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.

In cases where there was a finding of noncompliance for a particular student, the final section of the chart identifies the **Second Stage Corrective Action Regarding the**

Implementation of the Regulation. Identified in this section will be the number of new student files that will be selected at each school to demonstrate correct implementation of the regulations for the section of the self-assessment in which noncompliance was found. For the Second Stage Corrective Actions, the NHDOE will verify compliance through a subsequent on-site review of the new files within a year from the date of the report. **The total number of student files selected for the Second Stage Corrective Action Regarding the Implementation of the Regulation will not exceed the original number of files reviewed at each school.**

Student Specific Findings of Noncompliance

When determining compliance, the NHDOE reviews the currently agreed upon/signed IEP at the on-site monitoring visit.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.614 Ed 1119.01(a)		A. Record of Access; Confidentiality Requirements
Self-Assessment Question Number & Regulatory Component		Review Status
1.	34 CFR 300.614 Ed 1119.02(a)	4 out of 4 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.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.504(a) Ed 1120.03(b)		B. Procedural Safeguards
Self-Assessment Question Number & Regulatory Component		Review Status
2.	34 CFR 300.504(a) Ed 1120.03(b)	4 out of 4 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		C. 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, 3 out of 3 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. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i>

4.	34 CFR 300.304(c)(1)(iv) Ed 1107.04(b)	3 out of 3 IEP files demonstrated evidence that trained and knowledgeable personnel administered the assessment. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i>
5.	34 CFR 300.306(c)(1)(i) Ed 1108.01(a)	2 out of 3 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. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i> For student F there was insufficient evidence demonstrating compliance with this requirement.
First Stage Corrective Action Regarding the Implementation of the Regulations: Provide training to appropriate staff to ensure 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 the dates, names of attendees, and a description of the training, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.		
Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review two new student files at Profile High School for Self-Assessment Question 5 for updated data demonstrating compliance with this requirement.		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.503 Ed 1120.03		D. Written Prior Notice (Determination of Eligibility)
Self-Assessment Question Number & Regulatory Component		Review Status
6.	34 CFR 300.503(b)(1) Ed 1120.03(b)	2 out of 3 IEP files demonstrated evidence that the written prior notice given to the parents of a child with a disability included a description of the action proposed or refused by the agency. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i> For student F there was insufficient evidence demonstrating compliance with this requirement.
7.	34 CFR 300.503(b)(2) Ed 1120.03(b)	2 out of 3 IEP files demonstrated evidence that the written prior 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. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i> For student F there was insufficient evidence demonstrating compliance with this requirement.

8.	34 CFR 300.503(b)(3) Ed 1120.03(b)	1 out of 3 IEP files demonstrated evidence that the written prior 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. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i> For students C & F there was insufficient evidence demonstrating compliance with this requirement.
9.	34 CFR 300.503(b)(6) Ed 1120.03(b)	2 out of 3 IEP files demonstrated evidence that the written prior 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. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i> For student F there was insufficient evidence demonstrating compliance with this requirement.
10.	34 CFR 300.503(b)(7) Ed 1120.03(b)	2 out of 3 IEP files demonstrated evidence that the written prior 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. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i> For student F there was insufficient evidence demonstrating compliance with this requirement.
11.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	3 out of 3 IEP files demonstrated evidence that the written prior 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. <i>(One student file was of a student whose current eligibility determination was not completed by this district.)</i>
<p>First Stage Corrective Action Regarding the Implementation of the Regulations: Provide training to staff on completing the written prior notice for determination of eligibility in order for staff to appropriately document each component of a written prior notice.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.</p> <p>Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review two new student files at Profile Junior High School for Self-Assessment Questions 6-11; and three new student files at Profile High School for Self-Assessment Questions 6-11 for updated data demonstrating compliance with this requirement.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.323; 34 CFR 300.324 Ed 1109		E. Individualized Education Program
Self-Assessment Question Number & Regulatory Component	Review Status	
12.	Ed 1109.01(a)(5)	4 out of 4 IEP files demonstrated evidence of the signature of the parent or, where appropriate, student, and a representative of the LEA stating approval of the provisions of the IEP.

13.	Ed 1109.04(a)	2 out of 4 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. For students A & C there was insufficient evidence demonstrating compliance with this requirement.
14.	34 CFR 300.323(c)(1) Ed 1109.03(a)	For an initial IEP, 0 out of 1 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>(Three student files were not of students with initial IEPs.)</i> For student C there was insufficient evidence demonstrating compliance with this requirement.
15.	34 CFR 300.324(b)(1)(i) Ed 1109.03(d)	3 out of 3 IEP files demonstrated evidence that the IEP was reviewed at least annually. <i>(One student file was a student with an initial IEP.)</i>
16.	34 CFR 300.323(a) Ed 1109.03(d)	4 out of 4 IEP files demonstrated evidence that an IEP was in place at the beginning of the school year.
First Stage Corrective Action of Student Specific Instance(s) of Noncompliance: As soon as possible, but no later than 2 months from the date of this report, the district must show evidence 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.		
First Stage Corrective Action Regarding the Implementation of the Regulations: Provide training to appropriate staff to ensure that copies of IEPs are provided to each teacher and service provider listed as having responsibilities for implementing the IEP; and meetings to develop an initial IEP for a student are conducted within 30 days of a determination that the child needs special education and related services. Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.		
Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review three new student files at Profile Junior High School for Self-Assessment Questions 13 & 14 for updated data demonstrating compliance with this requirement.		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.321(a) Ed 1103.01		F. IEP Team; Participants in the Special Education Process
Self-Assessment Question Number & Regulatory Component		Review Status
17.	34 CFR 300.321(a)(1) Ed 1103.01(a)	4 out of 4 IEP files demonstrated evidence that the IEP Team included the parent(s) of the child or adult student.
18.	34 CFR 300.321(a)(2) Ed 1103.01(a)	4 out of 4 IEP files demonstrated evidence that the IEP Team included at least one regular education teacher of the child.
19.	34 CFR 300.321(a)(3) Ed 1103.01(a)	4 out of 4 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.
20.	34 CFR 300.321(a)(4) Ed 1103.01(a)	3 out of 4 IEP files demonstrated evidence that the IEP Team included an LEA representative. For student H there was insufficient evidence demonstrating compliance with this requirement.
21.	34 CFR 300.321(a)(5) Ed 1103.01(a)	4 out of 4 IEP files demonstrated evidence that an individual who can interpret the instructional implications of the evaluation results participated in the meeting.

22.	Ed 1103.01(d)	If vocational, career or technical education was being considered, 0 out of 0 IEP files demonstrated evidence that the IEP team membership included an individual knowledgeable about the vocational education programs and/or career technical education being considered. <i>(Four student files were of students for whom vocational education/CTE was not considered.)</i>
23.	Ed 1103.02(a) , (c), (d)	3 out of 3 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 or the parent agreed in writing that the LEA could satisfy this requirement via transmittal by electronic mail <u>or</u> demonstrated evidence of written consent of the parent(s) that the notice requirement were waived [Ed 1103.02(b)]. <i>(One student file was a student for whom the written invitation was completed by another district)</i>
<p>First Stage Corrective Action Regarding the Implementation of the Regulations: Provide trainings to appropriate staff for ensuring that the IEP team included an LEA representative.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within 3 months from the date of this report.</p> <p>Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review two new student files at Profile High School for Self-Assessment Question 20 for updated data demonstrating compliance with this requirement.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a); 34 CFR 300.324(a)(1)		G. Individualized Education Program (Present Levels of Academic Achievement and Functional Performance)
Self-Assessment Question Number & Regulatory Component		Review Status
24.	34 CFR 300.324(a)(1)(i)	4 out of 4 IEPs demonstrated evidence of a statement of the child's strengths.
25.	34 CFR 300.324(a)(1)(iv)	4 out of 4 IEPs demonstrated evidence of a statement of the child's academic, developmental, and functional needs.
26.	34 CFR 300.324(a)(1)(ii)	4 out of 4 IEPs demonstrated evidence of a statement of the parent's concerns for improving the student's education in the IEP.
27.	34 CFR 300.324(a)(1)(iii)	3 out of 4 IEPs demonstrated evidence that the results of initial or most recent evaluations of the child were included in the IEP. For student H there was insufficient evidence demonstrating compliance with this requirement.
28.	34 CFR 300.320(a)(1)(i)	3 out of 4 IEPs demonstrated evidence of a statement in the IEP that describes how the child's disability affects the student's involvement and progress in the general education curriculum. For student F there was insufficient evidence demonstrating compliance with this requirement.
29.	34 CFR 300.320(a)(4)(ii)	4 out of 4 IEPs demonstrated evidence of a statement that describes how the child's disability affects non-academic areas.
30.	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. <i>(Four student files were not of preschool age students.)</i>

First Stage Corrective Action of Student Specific Instance(s) of Noncompliance: 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 provide evidence that the following is included in the IEP: the results of initial or most recent evaluations of the child; and a statement in the IEP that describes how the child's disability affects the student's involvement and progress in the general education curriculum.

The NHDOE will verify this through a subsequent on-site review.

First Stage Corrective Action Regarding the Implementation of the Regulations: Provide training to appropriate staff to include in student's IEPs a statement of the results of initial or most recent evaluations of the child; and a statement of how the child's disability affects the student's involvement and progress in the general education curriculum.

Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.

Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review two new student files at Profile High School for Self-Assessment Questions 27 & 28 for updated data demonstrating compliance with this requirement.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.324(a)(2) Ed 1109.03(h)		H. Consideration of Special Factors
Self-Assessment Question Number & Regulatory Component		Review Status
31.	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, 3 out of 3 IEPs demonstrated evidence that the IEP team considered the use of positive behavioral interventions and supports, and other strategies, to address that behavior. <i>(One student file was not of a student whose behavior impedes learning.)</i>
32.	34 CFR 300.324(a)(2)(ii) Ed 1109.03(h)	When a child demonstrates limited English proficiency, 0 out of 0 IEPs demonstrated evidence that the IEP Team considered the language needs of the child as those needs relate to the child's IEP. <i>(Four student files were not of students who demonstrated limited English proficiency.)</i>
33.	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>(Four student files were not of students who were blind or visually impaired.)</i>
34.	34 CFR 300.324(a)(2)(iv) Ed 1109.03(h)	4 out of 4 IEPs demonstrated evidence that the IEP Team considered the communication needs of the child.
35.	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>(Four student files were not of students who were deaf or hard of hearing.)</i>
36.	34 CFR 300.324(a)(2)(v) Ed 1109.03(h)	4 out of 4 IEPs demonstrated evidence that the IEP Team considered whether the child needed assistive technology devices and services.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
Ed 1109.01(a)(10)		I. Courses of Study
Self-Assessment Question Number & Regulatory Component		Review Status
37.	Ed 1109.01(a)(10)	<p>For each student with a disability beginning at age 14 or younger, if determined appropriate by the IEP team, 1 out of 2 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, vocational education, or career and technical education. <i>(Two student files were students aged 13 or younger who will not be turning 14 during the IEP period.)</i></p> <p>For student G there was insufficient evidence demonstrating compliance with this requirement.</p> <p>First Stage Corrective Action of Student Specific Instance(s) of Noncompliance: 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 provide evidence that for each student with a disability beginning at age 14 or younger, if determined appropriate by the IEP team, the IEP includes 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, vocational education, or career and technical education.</p> <p>The NHDOE will verify this through a subsequent on-site review.</p> <p>First Stage Corrective Action Regarding the Implementation of the Regulations: Provide training to appropriate staff to ensure that for each student with a disability beginning at age 14 or younger, if determined appropriate by the IEP team, the IEP includes 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, vocational education, or career and technical education.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.</p> <p>Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review three new student files at Profile High School for Self-Assessment Question 37 for updated data demonstrating compliance with this requirement.</p>

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(2)(i) Ed 1109.01(a)		J. Measurable Annual Goals; Short-term Objectives or Benchmarks
Self-Assessment Question Number & Regulatory Component		Review Status
38.	34 CFR 300.320(a)(2)(i) Ed 1109.01(a)(1)	<p>2 out of 4 IEPs demonstrated evidence of a statement of measurable annual goals, including academic and functional goals.</p> <p>For students B & D there was insufficient evidence demonstrating compliance with this requirement.</p>
39.	34 CFR 300.320(a)(2)(i)(A) Ed 1109.01(a)(1)	4 out of 4 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.

40.	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, 3 out of 4 IEPs demonstrated evidence that the measurable annual goals meet each of the child's other educational needs. For student B there was insufficient evidence demonstrating compliance with this requirement.
41.	Ed 1109.01(a)(6)	4 out of 4 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>First Stage Corrective Action of Student Specific Instance(s) of Noncompliance: As soon as possible, but no later than 2 months of the date of this report, the district must amend the IEPs to include measurable annual goals; and include goals that relate to a need identified in the student profile pages of the IEP.</p> <p>The NHDOE will verify this through a subsequent on-site review.</p> <p>First Stage Corrective Action Regarding the Implementation of the Regulations Provide training to appropriate staff to address writing measurable annual goals, including goals that relate to a need identified in the student profile pages of the IEP.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.</p> <p>Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review three new student files at Profile Junior High School for Self-Assessment Questions 38 & 40 for updated data demonstrating compliance with this requirement.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
Ed 1109.01(a)(8)		K. Review and Revision of IEPs (Measuring Progress)
Self-Assessment Question Number & Regulatory Component		Review Status
42.	Ed 1109.01(a)(8)	4 out of 4 IEPs demonstrated evidence that the IEP includes a statement of how the child's progress toward meeting the annual goals shall be provided to the parents.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.323(d)(2)(ii) Ed 1102; Ed 1109.03(a)		L. Accessibility of Child's IEP to Teachers and Others (General Accommodations and General Modifications)
Self-Assessment Question Number & Regulatory Component		Review Status
43.	34 CFR 300.323(d)(2)(ii) Ed 1109.03(a)	3 out of 4 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. For student D there was insufficient evidence demonstrating compliance with this requirement.
44.	Ed 1102.01(b)	If accommodations are included, 3 out of 4 IEPs demonstrated evidence that the accommodations are changes in instruction or evaluation determined necessary by the IEP team that do not impact the rigor, validity or both of the subject matter being taught or assessed. For student B there was insufficient evidence demonstrating compliance with this requirement.

45.	Ed 1102.03(v)	If modifications are included, 0 out of 0 IEPs demonstrated evidence that the modifications are changes in instruction or evaluation determined necessary by the IEP team that impacts the rigor, validity or both of the subject matter being taught or assessed. <i>(Four student files were students with no modifications.)</i>
<p>First Stage Corrective Action of Student Specific Instance(s) of Noncompliance: As soon as possible, but no later than 2 months from the date of this report, the district must show evidence that each teacher and service provider has been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.</p> <p>As soon as possible but no later than 2 months from the date of the report, the district must convene the IEP teams to review the IEPs and show evidence that if accommodations are included in the IEP, they are changes in instruction or evaluation determined necessary by the IEP team that do not impact the rigor, validity or both of the subject matter being taught or assessed.</p> <p>The NHDOE will verify this through a subsequent on-site review.</p>		
<p>First Stage Corrective Action Regarding the Implementation of the Regulations: Provide training to appropriate staff to ensure that each teacher and service provider has been informed of the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP, and to address that accommodations are changes in instruction or evaluation determined necessary by the IEP team that do not impact the rigor, validity or both of the subject matter being taught or assessed.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.</p>		
<p>Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review three new student files at Profile Junior High School for Self-Assessment Questions 43 & 44 for updated data demonstrating compliance with this requirement.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a) Ed 1109.01(a)(1); 1109.04(b)		M. 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
46.	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	<p>2 out of 4 IEPs demonstrated evidence of a statement of special education.</p> <p>For students E & G there was insufficient evidence demonstrating compliance with this requirement.</p>
47.	Ed 1109.04(b)(1)	<p>3 out of 4 IEP files demonstrated written evidence documenting implementation of the IEP with regards to special education services provided.</p> <p>For student E there was insufficient evidence demonstrating compliance with this requirement.</p>
48.	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	<p>1 out of 1 IEPs demonstrated evidence of a statement of related services. <i>(Three student files were students for whom there was no evidence that the IEP team determined this is necessary.)</i></p>
49.	Ed 1109.04(b)(1)	<p>1 out of 1 IEP files demonstrated written evidence documenting implementation of the IEP with regards to related services provided. <i>(Three student files were students for whom there were no related services in the IEP.)</i></p>

50.	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	0 out of 0 IEPs demonstrated evidence of a statement of supplementary aids and services. <i>(Four student files were students for whom there was no evidence that the IEP team determined this was necessary.)</i>
51.	Ed 1109.04(b)(2)	0 out of 0 IEP files demonstrated written evidence documenting implementation of the IEP with regards to supplementary aids and services provided. <i>(Four student files were students for whom there were no supplementary aids and services in the IEP.)</i>
52.	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	4 out of 4 IEPs demonstrated evidence of a statement of the supports for school personnel.
53.	Ed 1109.04(b)(4)	2 out of 4 IEP files demonstrated written evidence documenting implementation of the IEP with regards to supports provided for school personnel. For students D & E there was insufficient evidence demonstrating compliance with this requirement.
54.	34 CFR 300.320(a)(7) Ed 1109.01(a)(1)	4 out of 4 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.
55.	34 CFR 300.320(a)(7) Ed 1109.01(a)(1)	4 out of 4 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.

First Stage Corrective Action of Student Specific Instance(s) of Noncompliance: 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 provide evidence of a statement of special education.

As soon as possible, but no later than 2 months from the date of this report, the district will provide documentation for evidence of the implementation of special education services provided, and supports provided for school personnel.

The NHDOE will verify this through a subsequent on-site review.

First Stage Corrective Action Regarding the Implementation of the Regulations: Provide training to appropriate staff to ensure that the IEP includes applicable special education services as well as training for ensuring that there is written evidence documenting implementation of the IEP with regards to all special education services provided, and supports provided for school personnel.

Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.

Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review two new student files at Profile Junior High School for Self-Assessment Question 53, and two new student files at Profile High School for Self-Assessment Questions 46, 47, & 53 for updated data demonstrating compliance with this requirement.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(5) Ed 1109.01(a)(1)		N. 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)	4 out of 4 IEP 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.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(6) Ed 1109.01(a)(1)		O. 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)	4 out of 4 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, 0 out of 0 IEPs demonstrated evidence of a statement of why the child cannot participate in the regular assessment. <i>(Four student files were of students not taking an alternate assessment.)</i>
59.	34 CFR 300.320(a)(6)(ii)(B) Ed 1109.01(a)(1)	When the child is taking an alternate assessment, 0 out of 0 IEPs demonstrated evidence describing why the particular alternate assessment selected is appropriate for the child. <i>(Four student files were of students not taking an alternate assessment.)</i>

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.503 Ed 1120.03		P. 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)	3 out of 4 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. For student D there was insufficient evidence demonstrating compliance with this requirement.
61.	34 CFR 300.503(b)(2) Ed 1120.03(b)	2 out of 4 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. For students D & G there was insufficient evidence demonstrating compliance with this requirement.
62.	34 CFR 300.503(b)(3) Ed 1120.03(b)	3 out of 4 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. For student G there was insufficient evidence demonstrating compliance with this requirement.
63.	34 CFR 300.503(b)(6) Ed 1120.03(b)	3 out of 4 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. For student G there was insufficient evidence demonstrating compliance with this requirement.

64.	34 CFR 300.503(b)(7) Ed 1120.03(b)	<p>3 out of 4 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.</p> <p>For student G there was insufficient evidence demonstrating compliance with this requirement.</p>
65.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	<p>3 out of 4 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> <p>For student G there was insufficient evidence demonstrating compliance with this requirement.</p>
<p>First Stage Corrective Action Regarding the Implementation of the Regulations: 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.</p>		
<p>Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.</p>		
<p>Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review two new student files at Profile Junior High School for Self-Assessment Question 60-65 and three new student files at Profile High School for Self-Assessment Questions 60-65 for updated data demonstrating compliance with this requirement.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.503 Ed 1120.03(b)		Q. Written Prior Notice (Placement)
Self-Assessment Question Number & Regulatory Component		Review Status
66.	34 CFR 300.503(b)(1) Ed 1120.03(b)	<p>2 out of 3 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. <i>(One student file was a student for whom the Written Prior Notice for Placement was completed by another district)</i></p> <p>For student C there was insufficient evidence demonstrating compliance with this requirement.</p>
67.	34 CFR 300.503(b)(2) Ed 1120.03(b)	<p>2 out of 3 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. <i>(One student file was a student for whom the Written Prior Notice for Placement was completed by another district)</i></p> <p>For student C there was insufficient evidence demonstrating compliance with this requirement.</p>

68.	34 CFR 300.503(b)(3) Ed 1120.03(b)	<p>1 out of 3 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. <i>(One student file was a student for whom the Written Prior Notice for Placement was completed by another district)</i></p> <p>For students C & H there was insufficient evidence demonstrating compliance with this requirement.</p>
69.	34 CFR 300.503(b)(6) Ed 1120.03(b)	<p>2 out of 3 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. <i>(One student file was a student for whom the Written Prior Notice for Placement was completed by another district)</i></p> <p>For student C there was insufficient evidence demonstrating compliance with this requirement.</p>
70.	34 CFR 300.503(b)(7) Ed 1120.03(b)	<p>2 out of 3 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. <i>(One student file was a student for whom the Written Prior Notice for Placement was completed by another district)</i></p> <p>For student C there was insufficient evidence demonstrating compliance with this requirement.</p>
71.	34 CFR 300.503(c)(1)(ii) Ed 1120.03(b)	<p>2 out of 3 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. <i>(One student file was a student for whom the Written Prior Notice for Placement was completed by another district)</i></p> <p>For student C there was insufficient evidence demonstrating compliance with this requirement.</p>
<p>First Stage Corrective Action Regarding the Implementation of the Regulations: 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.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the district's procedure for complying with this specific rule, to the NHDOE within three months from the date of this report.</p> <p>Second Stage Corrective Action Regarding the Implementation of the Regulations: The NHDOE will review three new student files at Profile Junior High School for Self-Assessment Questions 66-71 and two new student files at Profile High School for Self-Assessment Questions 66-71 for updated data demonstrating compliance with this requirement.</p>		