

**ANNUAL REPORT OF THE
STATE ADVISORY COMMITTEE
ON THE EDUCATION OF
STUDENTS WITH DISABILITIES
FY 2003-2004**



REPORT OF THE STATE ADVISORY COMMITTEE ON THE EDUCATION OF STUDENTS WITH DISABILITIES

Legislative Mandate

Pursuant to RSA 186-C:3-b, the purpose of this report is to inform the Commissioner of Education, Governor and General Court on issues related to the education of children with disabilities in New Hampshire.

The State Advisory Committee's responsibilities include the following.

Advise the New Hampshire Department of Education regarding unmet needs within the state related to the education of children/students with disabilities.

Provide an annual report to the Governor and the State Legislature on the status of education of children with disabilities in New Hampshire.

Comment publicly on the state plan and rules and regulations proposed for issuance by the state regarding the education of children with disabilities.

Assist the state in developing and reporting such information and evaluations as may assist the U.S. Secretary of Education in the performance of responsibilities under Section 618 of the Individuals with Disabilities Act.

Advise the Department of Education in developing corrective action plans to address findings identified in federal monitoring reports.

Advise the Department of Education in developing and implementing policies relating to the coordination of services for children/students with disabilities.

Advise the Department of Education on the education of eligible children with disabilities who have been convicted as adults and incarcerated in adult prisons.

Membership and Composition

Openings on the State Advisory Committee (SAC) occur each year, as members resign, move, or do not attend meetings. Individuals interested in being nominated for membership on the State Advisory Committee should contact the N.H. Department of Education or the Chairperson of the State Advisory Committee. Members must fit into one of the legislatively mandated categories for membership; if they do not, or if there are no current vacancies in the appropriate category, individuals may wish to work with the subcommittees as an ad hoc member.

The committee is composed of representatives from the following groups/organizations/agencies:

two members of the House Education Committee;

two members of the Senate Education Committee;

one state education official;

one local education official;

one special education teacher;

one representative of a vocational, community or business organization concerned with the provision of transition services to children/students with disabilities;

one representative of the Department of Health and Human Services;

one representative of the Disabilities Rights Center;

one representative of the Parent Information Center;

two individuals with disabilities who have benefited from special education services, one of whom may be a high school student;

one administrator of a public special education program;

one representative of an institution of higher education that prepares special education and related services personnel;

one representative of a private school approved for special education;

one representative of a public charter school;

one representative of the Division for Juvenile Justice;

one representative of the Department of Corrections;

parents of children/students with disabilities.

A simple majority of the members of the committee shall be individuals with disabilities or parents of children/students with disabilities. Members serve a term of three years, and may succeed themselves. A list of members who were appointed to serve during the 2003-2004 period may be found at the end of this report. A Chairperson is selected by a majority of the membership. Judith Raskin currently serves as the Chairperson and Michael Maroni serves as Vice-chairperson.

Meetings

The committee held regular meetings each month from September 2003 through June 2004 at the New Hampshire Department of Education, with the exception of the March and April 2004 meetings, which were held at the Legislative Office Building. The purpose of these meetings is to share information, discuss concerns, gather information on emerging topics, review committee reports, and make recommendations for further action. Such action may take several forms: further study and research; discussion; requests for additional data from the New Hampshire Department of Education or other state departments, agencies, and organizations; written communications to the State Board of Education or Commissioner of Education; and public comment on issues of concern to the committee.

Notice of State Advisory Committee meetings are published in the Concord Monitor and Manchester Union Leader, and posted on the Special Education Bureau's web page. Meetings are open to the public. Minutes are prepared after each meeting. Minutes are distributed via electronic mail prior to meetings, and are available at the meeting. Final Minutes are posted on the Special Education Bureau's web page.

Organization

The annual retreat begins the year for SAC, and sets the agenda for the State Advisory Committee for the coming year. The State Advisory Committee utilizes subcommittees to study, report, and make recommendations to the full SAC on specific issues identified by the committee. The bulk of the State Advisory Committee's work is done through this subcommittee structure. Committees report on their work at regularly scheduled meetings, and seek action from the entire State Advisory Committee, when appropriate. During the annual retreat, committee members identify and choose those issues which are of primary concern to the State Advisory Committee, and establish subcommittees to study these issues. Committee members self-select the subcommittee(s) they wish to serve on based on their interests, expertise, and concerns. The New Hampshire Department of Education provides staff to clarify the department's procedures; explain programs and/or initiatives; provide technical assistance, administrative support, statistical data, and other background information. Individuals from other agencies who have expertise in a particular field may also be asked to inform the subcommittee, or to serve as an ad hoc member of a subcommittee.

Actions and Issues

In September of 2003, the State Advisory Committee held its annual planning retreat in Concord, NH. The committee reviewed the major accomplishments of the previous year and discussed what issues continue to be priorities for the SAC. These include:

- the N.H. Department of Education's complaint, mediation and process hearing procedures and data;

- involvement in the Continuous Improvement and Focused Monitoring System (CIFMS);

the series of Parent Forums co-sponsored by the State Advisory Committee and the N.H. Department of Education;

understanding how special education is funded and how money is distributed to school districts;

more accurate and readily available student and program data;

secondary transition for students with disabilities and the high drop out rate;

students who are home-schooled, especially those with disabilities;

the status of charter schools in New Hampshire;

membership and increasing diversity on the State Advisory Committee;

discipline of students with disabilities;

real performance indicators of progress for students;

the need for a balance between test scores and real progress for students with disabilities;

programs that are not in full compliance with state and federal laws and regulations;

the need for better interagency collaboration and resource (funding) sharing; and

SAC needs to do a better job of informing people about the work we have done.

Actions of the State Advisory Committee During 2003-2004

Based on the priorities established at the SAC Retreat, standing committees were established to gather information, define the problem, identify issues, and make recommendations to the full committee. During the period covered by this report, subcommittees operated for the following purposes.

The Dispute Resolution Subcommittee may assist the New Hampshire Department of Education in evaluating dispute resolution options, and may recommend training which may be required for hearing officers, neutrals, mediators, complaint investigators, or others involved in this process. Members of this subcommittee included Michael Maroni, Chair, Richard Cohen, and Judith Raskin.

The Secondary Transition Subcommittee may assist the New Hampshire Department of Education in determining the issues impacting students with disabilities who are transitioning from high school. Members of this subcommittee included Albert Ouellette, Chair, Chris Collier, William Finn, Diane McCann, and Ted Prizio.

The Public Policy Subcommittee may assist the New Hampshire Department of Education in increasing the knowledge of elected officials and the general public regarding special education issues, needs and funding. Members of this subcommittee included Ann Logan, Chair, Judith Raskin, Richard Cohen, and Robert Wells.

The Least Restrictive Environment Subcommittee may assist the New Hampshire Department of Education in identifying barriers to children with disabilities being included in the least restrictive environment, including those students who are being home-schooled. Members of this subcommittee included Bonnie Dunham, Chair, Chris Collier, Ted Prizio, Heather Thalheimer, and Mary Trinkley.

The IDEA Reauthorization Subcommittee was established to assist the New Hampshire Department of Education in responding to proposed changes to the Individuals with Disabilities Education Act. Members of this subcommittee included Bonnie Dunham, Chair, Judith Raskin, Heather Thalheimer, and Mary Trinkley.

Based on the needs, issues, recommendations and priorities identified by the State Advisory Committee, information was sought from the N.H. Department of Education and other sources to inform their work. Presentations were made on the following topics to better inform the work of the State Advisory Committee:

- complaint investigations and dispute resolution;
- the Parent/Student Forums;
- facilitated IEP meetings;
- focused monitoring of special education programs;
- special education funding;
- National Center of Special Education Accountability,
- Positive Behavioral Interventions & Supports (PBIS),
- charter schools;
- home schooling of children with disabilities;
- alternative programs for students operated by school districts;
- activities of the State Improvement Grant (SIG); and
- the reauthorization of the Individuals with Disabilities Education Act (IDEA).

The State Advisory Committee received regular reports on proposed/pending state and federal legislation.

Collaborative Activities

The State Advisory Committee and the Bureau of Special Education collaborated on the following public meetings.

Parent/Student Forums were held in Merrimack, NH, Rochester, NH, Laconia, NH, Center Conway, NH, and Keene, NH (see attachment). Each forum was facilitated by a team representing the NH Department of Education and State Advisory Committee. A report outlining the results from these forums may be obtained from the N.H. Department of Education.

The State Advisory Committee attended the annual meeting for the Continuous Improvement & Focused Monitoring System (CIFMS), where they reviewed progress and goals for the coming year.

The State Advisory Committee was represented at the annual meeting of the Interagency Coordinating Council.

The State Advisory Committee has been working with the Department to increase the amount of information on SAC activities accessible on the Bureau of Special Education's web page.

A State Advisory Committee member and the Director of the Special Education Bureau attended the Office of Special Education programs Leadership Conference in Washington, DC.

State Advisory Committee Documents

The State Advisory Committee continued to work on a fact sheet explaining special education funding.

Copies of SAC documents may be obtained from the New Hampshire Department of Education.

Recommendations

We recommend that adequate funding be provided to school districts to meet the costs of educating students with disabilities, and to the Bureau of Special Education to continue their initiatives and provide leadership to the field.

We recommend that new funds coming from the U.S. Department of Education under the Individuals with Disabilities Education Act and No Child Left Behind Act be used as intended, to supplement the current state and federal funding, not to supplant that funding. The state should not reduce its financial support for, or move funds from, the Special Education Bureau in order to fund other departments or priorities.

We recommend that the Director of the Special Education Bureau be a member of the Education Cabinet.

We recommend that all members appointed to the State Advisory Committee make attendance at State Advisory Committee meetings, and participation on subcommittees, a priority, or resign/be replaced.

We urge the House and Senate leaders to appoint representatives who will be able to attend SAC meetings. While we recognize that elected officials carry a heavy workload, if they agree to represent the Legislature on SAC, they should make it a priority to try to attend meetings. We recommend that the House and Senate leadership request volunteers who have the time and motivation to serve on the committee, rather than simply making a random appointment. We believe that both SAC and the N.H. Legislature would benefit from greater knowledge of SAC activities.

We recommend that the NH Department of Education, State Board of Education, and NH Legislature monitor charter schools closely as they develop, to ensure that they are open to students with and without disabilities, and that all students who attend charter schools receive an appropriate education.

We recommend that the NH Department of Education collect further data and continue to monitor alternative programs operated by school districts to ensure that they are not in violation of state and/or federal law concerning the rights of students with disabilities.

We recommend that the N.H. Department of Education utilize their website more effectively to share information with stakeholders in N.H.

We recommend that the N.H. Department of Education and the State Advisory Committee should continue hosting the Parent/Student Forums in various locations around the state.

We recommend that the Department of Education, Governor, Legislature and state agencies utilize the knowledge and expertise of the State Advisory Committee regarding the education of students with disabilities.

When the new IDEA legislation and regulations are finalized, this will require changes to the New Hampshire Rules on the Education of Children/Students with Disabilities. We recommend that the N.H. Department of Education work closely with the State Advisory Committee in drafting these new rules and seeking input from the stakeholders.

2003-2004 SAC Members and Their Affiliation

Robert Andrews
Manchester, NH
Institute of Higher Education

Rep. Sharon Carson
Londonderry, NH
NH House of Representatives

Richard Cohen
Concord, NH
Disability Rights Center

Chris Collier
Plymouth, NH
Parent

Bonnie Dunham
Merrimack, NH
Parent

William Finn
Concord, NH
Division of Vocational Rehabilitation

Cynthia Holden-Plummer
Lebanon, NH
Parent

Sen. Carl Johnson
Meredith, NH
NH Senate

Sen. Sylvia Larsen
Concord, NH
NH Senate

Norma Leach
Parent

Ann Logan
Amherst, NH
Parent

Michael Maroni
Allenstown, NH
Pine Haven Boys Center

Diane McCann
Concord, NH
Division of Community Health & Public Health

Rep. Deborah Naro
Plymouth, NH
NH House of Representatives

Albert Ouellette
Concord, NH
Individual with a disability

Theodore Prizio
Concord, NH
Tobey School

Judith Raskin
Bedford, NH
Parent

Heather Thalheimer
Concord, NH
Parent Information Center

Karen Thurston
Gilford, NH
Parent

Mary Trinkley
Concord, NH
Parent

Robert Wells
Concord, NH
N.H. Department of Education

**NEW HAMPSHIRE DEPARTMENT OF EDUCATION
NEEDS TO HEAR FROM YOU!**

PARENT FORUMS

**NEW HAMPSHIRE DEPARTMENT OF EDUCATION
BUREAU OF SPECIAL EDUCATION**

IN COLLABORATION WITH THE
STATE ADVISORY COMMITTEE

Invites you to the following PARENT Forums

Monday, January 26, 2004 6:00 PM – 8:30 PM	Merrimack High School Little Theater 8 McElwain Street Merrimack NH	After High School, What is Next? Is there a plan for your son or daughter with disabilities to live, work and contribute in their community?
Monday, March 1, 2004 6:00 PM – 8:30 PM	Spaulding High School Café 130 Wakefield Street Rochester NH	Why aren't more students with disabilities graduating with a regular high school diploma?
Monday, April 12, 2004 6:00 PM – 8:30 PM	Laconia High School Library 345 Union Avenue Laconia NH	Can your Student with a Disability read? Are families and schools working together to ensure that students with disabilities learn to read?
Monday, April 26, 2004 6:00 PM – 8:30 PM	Center of Hope 626 Eastman Road Center Conway NH	Are students, families and schools effectively working together to promote healthy social relationships for all students?
Monday, May 10, 2004 6:00 PM – 8:30 PM	Monadnock Developmental Services 2 nd Floor 121 Railroad Street Keene NH	What is the role of the family in educating a student with a disability?

These forums are being offered to enable parents, students and others to:

- Discuss and share ideas, issues and concerns affecting children/youth with disabilities and their families
- Establish better and stronger partnerships
- Build mutually respectful and responsive connections between the Department of Education and its stakeholders
- Inform the Department of Education as they engage in strategic planning.

*For more information, or if you need special accommodations, please call Barbara Raymond
N.H. Department of Education -- (603) 271-3791*

* When you leave you will have a handout explaining the two most important laws (NCLB and IDEA) that are affecting students with disabilities.