



NH State Advisory Committee on the
Education of Children/Students with Disabilities
Due Process Meeting Minutes

**NH SAC *Due Process Subcommittee*
Meeting Minutes**

DATE	November 29, 2023	START TIME	2:00 PM
PHYSICAL LOCATION	Books a Million in Ft Eddy Plaza, Concord, NH 03301 Map		
MINUTES PREPARED BY:	Moir Ryan		

ATTENDANCE

In Person	Virtual	Absent
Jennifer Poke	Tracy Walbridge	
Moir Ryan		

1 Call to Order

Open of Meeting–Greetings to all members.

2 Outreach to Members

- Still trying to reach out to Kevin Cushing as he had expressed interest in remaining on the committee.
- Tracy said she would contact Kevin to see if she could get an update on his current status.

3 Due Process Committee Updates

- Committee had submitted recommendations for due process, and these were read at the November 2022 full SAC committee meeting.
 1. Mediation has to follow the rules of process
 2. The Due Process book is not accurate and needs to be revised
 3. NH DOE staff mediators should not influence parent decisions.
 - There were some survey complaints about that.
 4. No more training done of hearing officers by district attorneys.
 5. Website difficult to locate information.
 6. SAC review of Due Process
 7. Decisions redacted.



NH State Advisory Committee on the Education of Children/Students with Disabilities Due Process Meeting Minutes

8. State complaints – find trends
9. Review by independent evaluator
10. No NDA required for mediation
11. No School lawyer if the parent doesn't have one
12. Need standard operating procedures to redact personally identifiable information and allow info to be processed and public in accordance with the state law.
13. Due process complaints get written in state law but don't incorporate federal law.
14. NHSEIS system does not allow IEP disagreements to be logged in the system, which means the NH DOE does not look at them or see them because they are just not entered in. It will not allow them to enter them in.
15. OCR complaints against the state should be reviewed by SAC.
16. Lack of standardization of Procedural Safeguards school cannot be the dispute contact.
17. Investigators write state complaints in state law only
18. Parent hearing officer guide needs to be updated and show that the school needs to have the burden of proof. Lack of access to help is a main barrier. Add questions to parent survey for State Performance Plan questions asking if resources or knowledge is a barrier to getting enforcement of IDEA.

Reference: October 5, 2022, Meeting Minutes

<https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/sonh/october-5-2022-sac-meeting-minutes.pdf>

- A proposal was made to write a letter to the education commissioner regarding those recommendations. The draft will be drawn up by Jennifer Pike and reviewed at the next subcommittee meeting.
- Reviewed the ODPD due process decision SOP and are interested in bringing that forward for the state of NH.
- Question was brought forward as to whether or not all due process decisions are being posted? Some appear to be missing.

4 Update on Due Process Staff and Recruitment

- Amy Davidson is no longer a hearing officer
- Natasha Lupiani is no longer handling complaints. Janelle is now handling complaints
- Question posed as to whether or not new hearing offices are coming onboard?
Reasons why the position is not attractive to people: lower pay and not consistent work, more of a part-time volunteer position.
- Subcommittee is interested in reviewing complaint data.



NH State Advisory Committee on the Education of Children/Students with Disabilities Due Process Meeting Minutes

➤ Are there any bills related to due process? 2024 bills are just starting to come out and we don't have full info on them.

5 New Business

None brought forward

6 Adjourn

Meeting adjourned