



Frank Edelblut
Commissioner

Christine M. Brennan
Deputy Commissioner

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
25 Hall Street
Concord, N.H. 03301

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Re: Special Education Complaint # 22-28

Dear [REDACTED]:

The New Hampshire Department of Education, Bureau of Special Education, has concluded its investigation of complaint # 22-28. Based on the findings of fact in the investigation, I am issuing my written decision as well as providing a copy of the investigator's report.

Below is a description of the allegation, as well as a summary of the investigator's findings of facts based on the evidence submitted by all parties to this matter. If an allegation is substantiated, a finding of noncompliance with special education law, then there will be a corrective action required of the district to remedy any violations of special education law. The corrective action is intended to ensure compliance with IDEA by addressing the needs of the child and the appropriate future provision of services for all children with disabilities.

By way of relevant background, the scope of this investigation is from [REDACTED].

Allegation 1- Substantiated

The sole allegation in this matter is that the [REDACTED] District failed to comply 34 CFR 300.324(b)(1)(ii)(D), which, in relevant part, provides that:

Each public agency must ensure that, the IEP Team...Revises the IEP, as appropriate, to address...The child's anticipated needs.

Specifically, the complainant asserts that the [REDACTED] District did not update the child's IEP as requested to address the child's needs associated with attending an online public charter school.

By way of relevant background, a Team meeting was held on [REDACTED], to discuss amendments to the child's IEP in order to meet the needs he might have while attending VLACS. However, the IEP was never amended to reflect the changes which were discussed at that meeting.

The district did not dispute the allegation and agreed with the parent that it had failed to create an amended IEP as agreed to during the meeting. The district immediately began working with the parent to remedy the situation.

The parent shared with the investigator that at this time she is satisfied with the [REDACTED] District's response to her complaint and that all issues have been rectified. The parent also shared that the district has been attentive to her child's needs.

Conclusion:

The Department respects and appreciates the district's willingness to take ownership of the mistake and rectify the situation with urgency. We hope that the corrections the district has made will prevent any similar situations in the future.

Corrective Action:

The Department is satisfied with the proactive corrective actions the [REDACTED] District has provided at this time. Therefore, no additional corrective action is required.

We hope that in the future the district and parent will continue to work together to resolve any differences which may arise.

Frank Edelblut
Commissioner of Education
NH Department of Education