



# PROGRAM APPROVAL MONITORING PROCESS FOR PRIVATE PROVIDERS

Proposed Revisions and Rationale

# Defining Program Approval for Private Providers

The goal of Special Education Program Approval is to ensure compliance with federal laws (IDEA 2004), regulations, NH State Statutes, and the NH Standards for the Education of Children with Disabilities (Ed 1100), resulting in improved outcomes for students with disabilities.

Per RSA 186-C:5 -

- The purpose of program approval and monitoring is to ensure that the programs comply with applicable federal and state law, including standards related to improving educational results and functional outcomes.
- The Monitoring Process must include an on-site monitoring component including program monitoring and random sampling.

# Revisions and Rationale

## Areas for Proposed Revisions

- Application
  1. Documents Required for Submission
  2. Special Education Procedures
  3. Curriculum
- On-site Monitoring
- Random Sampling
- Time Line
- Report

## Why

- Revisions will **streamline** program approval monitoring processes.
- The program approval monitoring process will focus in on **only** the responsibilities of the Private Provider.
- Focusing in on **only** the responsibilities of the Private Provider will promote improvement in **student outcomes**.

# Application

**Required application materials align with the requirements outlined in Ed 1114. The proposed revisions will decrease the number of documents a Private Provider needs to submit.**

- Submission of job descriptions will only be required during initial approval
- The School Fire and Life Safety Inspection(s) and School Health Inspection(s) will no longer be a required submission to the Bureau of Student Support since these documents are on file in the Office of Non-Public School Approval and can be verified internally.

# Application

Private Providers will only need to submit their **Special Education Procedures** for review if:

- current procedures have not been reviewed under the current Ed 1100 rules
- changes have been made to the Ed 1100 rules
- the Private Provider has made changes to their special education procedures since last approved by the DOE

Private Providers will only need to submit their **Curriculum and Program of Studies** for review if:

- curriculum and program of studies, (if applicable), were not reviewed under the current Ed 300 Minimum Standards
- changes have been made to the ED 300 Minimum Standards
- the Private Provider has made changes to their curriculum/program of studies since last approved by the DOE

There are required sections in the application the Private Provider will need to complete regarding the status of their special education programs, special education procedures, curriculum, and program of studies, regardless of any submissions or non-submissions.

# On-Site Monitoring

**Program Monitoring/Program Visit(s) will remain; however, to better focus in on items that are just the responsibility of the Private Provider, the Bureau would remove from the onsite monitoring file review component anything that is the responsibility of the LEA leaving:**

## **Implementation of Services in the IEP**

- Ed 1114.03(a) A private provider of special education or other non-LEA program shall be responsible for providing students with disabilities all services detailed in their IEPs unless the provision of those services has been agreed upon by contract with the sending LEA.

## **Comprehensive Reports**

- Ed 114.06(i) Each private provider of special education or other non-LEA program shall complete a minimum of 3 comprehensive reports per year on each child with a disability enrolled in the program.
- Ed 1114.06(j) The report in Ed 114.06(i) shall: (1) Describe the child's progress toward meeting the IEP goals; (2) Include a record of attendance; (3) Be written in terminology understandable to the parent; and )4) Be provided to the sending LEA and the parent of the child.
- Ed 1114.06(k) Reports provided to parents shall be in the native language or other mode of communication used by the parent.

# Random Sampling Data Collection

- Instead of the current file review, the Bureau would only need to conduct random sampling for on-site monitoring to include evidence for the implementation of special education services and comprehensive reports.
- Since on-site monitoring would only include service implementation and comprehensive reports there would no longer be a requirement for student specific corrective actions. (Private Providers cannot go back in time and create comprehensive reports or provide services).
- Corrective actions resulting from any findings resulting from the on-site monitoring of service implementation and comprehensive reports would be in the form of technical assistance or training.
- By not reviewing items that are technically the responsibility of the LEA the requirement for second stage monitoring and the selection of a second round of files would be eliminated.

# Random Sampling Data Collection

- Since the DOE is proposing to only review evidence of the implementation of special education services and comprehensive reports during the on-site monitoring visit, the Bureau will have no need to review specific student files.
- Maintaining student confidentiality during this process will be essential.
- In an attempt to be more streamlined and only monitor those processes that are the responsibility of the Private Provider and not the LEA, any and all identifiable information will need to be removed from any documents being reviewed by the Bureau.
- If identifiable information is observed the Bureau will be obligated to notify the LEA of any findings. (If we see it we will need to report it).
- The Bureau will be requesting that Private Providers use codes to identify their students on the data collection forms (such as 1, 2, 3, or A, B, C). Bureau reviewers should not be able to identify a student based on the codes listed.



# Random Sampling On-Site File Review

## Implementation of Services

- The DOE will verify the implementation of all services (special education services, related services, supplementary aids and services, and support for school personnel) for **every** NH student in the program for a randomly selected three week time period.
- The selected three week time period will be communicated to the Private Provider the week of December 15<sup>th</sup> and the time period will fall between the start of the school year and December 15<sup>th</sup>.
- Example:** For Private Providers being monitored in the 2021-2022 school year; in the week of 12/15/21, the Private Provider is given the time period of 10/25/21 – 11/12/21, the Private Provider will then complete the Implementation of Services form, listing all services for every NH student that should occur during that three week time period.

		Designated Time Period:			10/25/2021	to	11/12/2021
Coded Student ID	Service	During Designated Time Period		Documentation	Evidence Verifies Compliance		
		Duration	Frequency		Yes/No	Notes	
A	Specially Designed Instruction - Math	3 times/week	15 minutes	Log Sheets			
A	Related Services - Counseling	1 time/week	30 minutes	Progress Notes			
B	Specially Designed Instruction - Math	1 time/week	15 minutes	Log Sheets			
B	Specially Designed Instruction - Reading	3 times/week	15 minutes	Log Sheets			
B	Related Services - Speech Language	1 time/week	30 minutes	Progress Notes			
C	Specially Designed Instruction - Math	1 time/week	15 minutes	Log Sheets			
D	Specially Designed Instruction - Behavior Management	1 time/week	30 minutes	Log Sheets			
D	Related Services - Speech Language	2 time/week	30 minutes	Progress Notes			
D	Related Services - Counseling	1 time/week	30 minutes	Progress Notes			
F	Specially Designed Instruction - Reading	3 times/week	30 minutes	Log Sheets			
F	Specially Designed Instruction - Behavior Management	2 time/week	30 minutes				
F	Specially Designed Instruction - Math	1 time/week	15 minutes	Log Sheets			



# Time Line

**The proposed revisions not only streamline the program approval process but also shortens the current timeline.**

- The Private Provider will be notified in the spring prior to the year they will be monitored.
- The Bureau will train Private Provider staff on using the on-site data collection form in the fall of the monitoring year.
- On-site monitoring reviews will be conducted in the early spring of the monitoring year (probably the month of March to avoid snow days!).
- The report meeting will be conducted within 60 days of the on-site monitoring visit and will include the Private Provider's new program approval.
- The time line would be one year instead of two.

# Report Additions

**Streamlining the program approval process focuses on the actual performance of the Private Provider as of the on-site date.**

- The number of years for program approval is significantly impacted by the results of the application review and the on-site monitoring and will be included in the report.
- The Bureau would like to include in the report the formula used to calculate the approval period for a Private Provider.
- Any findings verified corrected as of two weeks prior to the report meeting will be noted in the report as findings that were corrected.

# Determining Approval Periods

<b>Application Materials</b>
<b>0-5 Points</b>
<b>Curriculum</b>
<b>0-22 Points</b>
<b>Personnel Certified</b>
<b>0-9 Points</b>
<b>Required Staff</b>
<b>0-9 Points</b>
<b>Special Education Procedures</b>
<b>0-5 Points</b>
<b>Service Provision</b>
<b>0-40 Points</b>
<b>Nature &amp; Severity of Findings</b>
<b>0-10 Points</b>

<b>5 years</b>	<b>0-20%</b>
<b>4 years</b>	21 - 40%
<b>3 years</b>	41 - 60%
<b>2 years</b>	61 - 80%
<b>1 year</b>	81 - 100%

The Program Approval monitoring process is broken down into 7 sections. Points are accumulated based on the number of findings in each section.

A private provider is then given a percent score based on their total number of points out of the maximum possible. The higher a percentage a private provider receives the shorter their approval period.

# Close-Out Letter

A letter closing out the monitoring process will be sent to the Private Provider once all corrective actions are verified.

# In Summary

- Proposed revisions to the program approval process for Private Providers will reduce the monitoring process timeline by one year.
- Proposed revisions will streamline the program approval process and require less submissions by the Private Providers.
- The report will capture the performance of the Private Providers at the time of the on-site and include their program approval status.
- Focusing in on the responsibilities of the Private Providers will lead to improved outcomes for students.