

**New Hampshire
Department of Education
Bureau of Student Support
Monitoring Review for Approval of
Private Provider Special Education
Programs**

**NFI North
Summary Report
2019 – 2020**

**Paul Dann, Executive Director
Deborah Weeks, Program Director, Davenport
Heidi Foisy, Program Director, Contoocook**

**Coordinating Education Consultant;
Rebecca Fredette**

**Monitoring Visit Conducted on January 21 & 22, 2020
Report Date: March 4, 2020**

Overview of the NFI North Program

NFI North is a New Hampshire Department of Education, Bureau of Student Support Approved Private Provider of Special Education with programs at two locations, NFI Contoocook School, located in Contoocook, NH and NFI Davenport School, located in Jefferson, NH.

The Contoocook School program is approved for male and female students in grades 6-12 and has the capacity for 18 day-students. Students enrolled in this program have primary disabilities in the areas of Autism, Emotional Disturbance, Other Health Impairment, and Specific Learning Disability. Contoocook School offers a regular High School Diploma. The mission statement for Contoocook School is, "To value and respect ourselves and the community while learning and growing." The leadership team at Contoocook School includes a regional director, program director, educational coordinator, nurse consultant, and administrative secretary.

The Davenport School program is approved for grades 6-12 and only serves females. Davenport School offers residential facilities and has the capacity to serve 20 students. Students enrolled in this program have primary disabilities in the areas of Emotional Disturbance, Other Health Impairment, and Specific Learning Disability. Davenport School offers a regular High School Diploma. The mission statement for Davenport School is, "To Inspire One Another to Reach for Success Now and in the Future." The leadership team at Davenport School includes a regional director, program director, educational coordinator, clinical coordinator, nurse consultant, and school nurse.

Both NFI North school programs base their program approaches on the "Normative Approach." This strength-based approach is founded on the belief that people are social beings and want to belong to a group. All groups have norms, which are a set of expectations regarding actions and behaviors. This network of expectations is generally unstated and learned through a process of observation in which new members learn what is expected and what is not accepted.

In the Normative Approach, students, teachers and staff form a community that works towards developing healthy norms. New students gain acceptance in that community and are guided toward effective decision making skills. They are encouraged to view themselves more positively through their membership in the community and through the honest and open feedback they receive from other community members. This positive peer culture teaches more effectively than an adult/staff driven culture. The Normative Approach offers and emphasizes a normalized setting, emphasis on strengths, de-emphasis on labels, a safe environment, family involvement and youth voice, open and honest communication, and creation of a strong and positive peer culture.

Both NFI programs believe in addressing all areas of a student's growth simultaneously for long-term change. They believe students want to learn and that enhanced academic performance can be obtained by addressing issues outside the academic realm. They believe

experience enhances concept development and skills can be best grasped when experience provides content. NFI believes every community member is a teacher and learner, that process is more important than product and that people learn when they are having fun.

The purpose of NFI North is “to help our students achieve academically, but given the nature of our students’ disabilities, we must simultaneously offer them a safe, therapeutic environment in which they will be able to take healthy risks necessary to learning. In some cases, our goal is to help students earn a diploma from the NFI North School; in other cases, our goal is to guide the student back into his/her sending school district. In both cases, the goal for all students is to experience a positive learning environment, identify and work toward successful completion of their short and long term goals.”

Noteworthy Practices and Areas in Need of Refinement

Noteworthy Practices

During the monitoring visit, it had been revealed that NFI North Contoocook School and Davenport School included several practices in their teaching, lessons, and expectations which are noteworthy. Such practices include:

- Incorporating differentiated instruction, established within the curriculum and through daily lesson planning.
- Integrating technology in the classroom and throughout the curriculum.
- Teaching specially designed instruction to master IEP goals within the classroom setting enhancing overall learning.
- Classroom atmosphere within each building fosters a multi-sensory approach to teaching, including multiple modes of communicating knowledge of learned material.
- Working in conjunction with the School Districts to keep students connected to their communities.

Overview of the Monitoring Review for Approval of Special Education Programs Process

The Monitoring Review for Approval of Private Provider Special Education Programs process ensures that students with educational disabilities have access to; can participate in; and can demonstrate progress within the general education curriculum, thereby improving

student learning. The primary focus of the monitoring review is to improve educational results and functional outcomes for all children with disabilities.

Monitoring is done on a cyclical basis. During the year prior to monitoring, the New Hampshire Department of Education (NHDOE), Bureau of Student Support (Bureau) offers training to each private provider who is involved in the monitoring process. Training encompasses writing Measurable Annual Goals, Written Prior Notice, Self-Assessment, and a topic selected by the private provider based on current need. During this time, the private provider will be given the option to include a director from outside of their Local Education Agency (LEA) area to participate in the on-site file review, as well as at least one special education administrator from another private school who has been trained in the process by the Bureau. At the beginning of the school year in which the private provider is being monitored, the private provider will send the Bureau their completed application for renewal of Bureau special education approval/nonpublic school approval in addition to the program's policy and procedure manual and any special education forms that are used by the private program. Following a review of these documents, the monitoring team will conduct an on-site review in which student files are examined for evidence of implementation of the policies and procedures through the special education process. The Bureau will also conduct a follow-up review to verify the implementation of corrective actions as defined in the summary report.

The New Hampshire Department of Education, Bureau of Student Support review members for NFI North's on-site monitoring review included Rebecca Fredette, Joanne DeBello, and Mike O'Hara, Director of Special Education, from Cedarcrest.

Procedures and Effective Implementation

Each private provider must have special education procedures, and effective implementation of practices that are aligned and support the implementation of IDEA and the *New Hampshire Standards for the Education of Children with Disabilities*.

The monitoring team reviewed the following special education procedures for compliance with State and Federal regulations regarding administration, confidentiality of information, program requirements, responsibilities of private providers of special education implementation of IEPs, behavioral interventions, RSA 126-U Limiting the use of child restraint practices in schools and treatment centers, qualifications and requirements for instructional, administrative and support personnel, change in placement or termination of enrollment, physical facilities, health and medical care, photography and audio-visual recording, and emergency planning and preparedness.

Based on the review of NFI North's special education procedures the monitoring team determined there were **no findings of noncompliance**.

Private Provider Curriculum and Effective Implementation

As part of the review, the monitoring team looked for evidence that NFI North is providing students with access to the general curriculum. The monitoring team reviewed the grades 6 – 12 curriculum provided by NFI North for compliance with learning areas in Arts Education, English/Language Arts, Health Education, Physical Education, Family & Consumer Science, Information & Communications Technologies, Mathematics, Science, Social Studies, and Technology Education, pursuant to Ed 306.261(b)(1) and (2) & Ed 306.27(c).

Based on the review of NFI North's curriculum, the monitoring team determined that there were **54 findings of noncompliance in 17 areas.**

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
1. Ed 306	Required Middle School Curriculum
<p>Finding of Noncompliance: In reviewing NFI North's curriculum the following required components did not have curriculum submitted:</p> <ul style="list-style-type: none"> • <i>Middle School Art – Ed 306.31(a)(2)</i> • <i>Middle School Physical Education – Ed 306.41(b)</i> • <i>Middle School Information and Communication Technologies – Ed 306.42</i> • <i>Grade 7 Science (Physical Science) – Ed 306.45(c)(2)</i> • <i>Grade 6 Social Studies – Ed 306.46</i> <p>Resulting in 5 findings of noncompliance.</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must submit curriculum for the areas listed above</p> <p>Provide the required curriculum above as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
2. Ed 306.31(a)(2)	Art K-12
<p>Finding of Noncompliance: NFI North's Music Appreciation materials submitted do not constitute a curriculum resulting in 1 finding of noncompliance.</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must provide curriculum for all required Music Appreciation standards/competencies</p> <p>Provide the Music Appreciation curriculum as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
3. Ed 306.37	Middle School English Language Arts
Finding of Noncompliance: NFI North's Middle School English Language Arts materials submitted do not constitute a curriculum resulting in 1 finding of noncompliance.	
Corrective Action regarding the Implementation of the Regulations: NFI North must provide curriculum for all required Middle School English Language Arts standards/competencies	
Provide the Middle School English Language Arts curriculum as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
4. Ed 306.43	Middle School Math
Finding of Noncompliance: NFI North's Middle School Math materials submitted do not constitute a curriculum resulting in 1 finding of noncompliance.	
Corrective Action regarding the Implementation of the Regulations: NFI North must provide curriculum for all required Middle School Math standards/competencies	
Provide the Middle School Math curriculum as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
5. Ed 306.46	Middle School Social Studies
Finding of Noncompliance: NFI North's Middle School Social Studies materials submitted for grades 7 and 8 do not constitute a curriculum resulting in 1 finding of noncompliance.	
Corrective Action regarding the Implementation of the Regulations: NFI North must provide curriculum for all required Middle School Social Studies for grades 7 and 8 standards/competencies	
Provide the Middle School Social Studies for grades 7 and 8 curriculum as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
6. Ed 306.37(c)	High School English Language Arts
<p>Finding of Noncompliance: NFI North's materials submitted for the following High School English Language Arts courses do not constitute a curriculum.</p> <ul style="list-style-type: none"> ○ <i>English 10</i> ○ <i>English 12</i> ○ <i>Creative Writing</i> ○ <i>Film Studies</i> ○ <i>American Literature</i> ○ <i>Public Speaking Debate Skills</i> ○ <i>World Literature</i> <p>Resulting in 7 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must provide curriculum for all required High School English Language Arts standards/competencies listed above.</p> <p>Provide the above High School English Language Arts curriculum as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
7. Ed 306.33	High School Math
<p>Finding of Noncompliance: NFI North's materials submitted for the following High School Math courses do not constitute a curriculum.</p> <ul style="list-style-type: none"> ○ <i>Algebra 1</i> ○ <i>Algebra 2</i> ○ <i>Applied Geometry</i> ○ <i>Business Math</i> ○ <i>High School Mathematics Concepts and Skills</i> ○ <i>Measurement and its Applications</i> ○ <i>Statistics and Probability</i> <p>Resulting in 7 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must provide curriculum for all required High School Math standards/competencies listed above.</p> <p>Provide the above High School Math curriculum as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
8. Ed 306.46(c)	High School Social Studies
<p>Finding of Noncompliance: NFI North's materials submitted for the following High School Social Studies courses do not constitute a curriculum.</p> <ul style="list-style-type: none"> ○ <i>US and NH History</i> ○ <i>World History</i> ○ <i>Global Studies</i> ○ <i>Geography</i> ○ <i>US and NH Government</i> ○ <i>Psychology</i> ○ <i>Psychology 2</i> ○ <i>Sociology</i> <p>Resulting in 8 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must provide curriculum for all required High School Social Studies standards/competencies listed above.</p> <p>Provide the above High School Social Studies curriculum as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
9. Ed 306.31(a)(2)	Art K-12 Program Standards
<p>Finding of Noncompliance: In reviewing NFI North's Art materials submitted the following standards were missing:</p> <ul style="list-style-type: none"> ○ <i>Planned curriculum regarding safety and health issues associated with materials, tools, equipment, supplies and procedures – (c)</i> ○ <i>Planned curriculum that addresses opportunities available beyond the regular classroom – (g)</i> <p>Resulting in 2 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must revise its Art curriculum to include the standards listed above.</p> <p>Provide the updated Art curriculum which includes the standards above as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
10. Ed 306.41(b)	Physical Education K-12 Program Standards
<p>Finding of Noncompliance: In reviewing NFI North's Physical Education materials submitted the following standards were missing:</p> <ul style="list-style-type: none"> ○ Systematic instruction designed to enable students to: <ul style="list-style-type: none"> ▪ <i>Exhibit responsible personal and social behavior that respects self and others in physical activity settings - (1)(e)</i> ▪ <i>Value physical activity for health, enjoyment, challenge, self-expression, and social interaction - (1)(f)</i> ▪ <i>Opportunities to improve children's emerging social and cooperative skills and to gain a multicultural perspective - (2)(d)</i> <p>Resulting in 1 finding of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must revise its Physical Education curriculum to include the standards listed above.</p> <p>Provide the updated Physical Education curriculum which includes the standards above as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
11. Ed 306.31(a)(2)	Information and Communication Technologies K-12 Program Standards
<p>Finding of Noncompliance: In reviewing NFI North's Information and Communication Technologies materials submitted the following standards were missing:</p> <ul style="list-style-type: none"> ○ <i>Proficiency in the use of tools to access, manage, integrate, and create information in Social Studies - (a)(2)(e)</i> ○ <i>Technical proficiency in hardware and networks - (a)(4)(a),(c)</i> ○ The following standards are missing in the curriculum that related to creating digital portfolios - 306.42(a)(5): <ul style="list-style-type: none"> ▪ Portfolio must include competency in the following areas: - (a)(1-6): <ul style="list-style-type: none"> • <i>Basic operations and concepts; Social, ethical, and human issues; Technology productivity tools; Technology communications tools; Technology research tools; and Technology problem solving and decision-making tools using a variety of artifacts as described in the standards</i> ▪ Evidence of competence includes at minimum:- (b)(c)(1-4) <ul style="list-style-type: none"> • <i>Standardized tests; observation; student work; comments describing a student's reflection on his/her work</i> <p>Resulting in 3 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must revise its Information and Communication Technologies curriculum to include the standards listed above.</p> <p>Provide the updated Information and Communication Technologies curriculum which includes the standards above as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
12. Ed 306.45(c)	Middle School Science Program Standards
<p>Finding of Noncompliance: In reviewing NFI North's Middle School Science materials submitted the following standards were missing:</p> <ul style="list-style-type: none"> ○ Systematic instruction, laboratory experiences, and activities that enable students to – (4) <ul style="list-style-type: none"> ▪ <i>Apply scientific concepts and skills in solving real problems and in everyday situations – (c)</i> ▪ <i>Understand the impact of science and technology on daily life – (d)</i> ▪ <i>Be aware of science-related societal issues – (e)</i> ▪ <i>Investigate the natural world and acquire an understanding of scientific explanations of natural phenomena – (f)</i> ▪ <i>Acquire an understanding of the history of science and its impact on society and the realization that science is a human endeavor – (g)</i> ▪ <i>Become familiar with science and technology related careers – (h)</i> ▪ <i>Express their understanding through the use of developing spreadsheets, and designing computer images and representations – (m)</i> <p>Resulting in 1 finding of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must revise its Middle School Science curriculum to include the standards listed above.</p> <p>Provide the updated Middle School Science curriculum which includes the standards above as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
13. Ed 306.37(c)	High School English Language Arts Program Standards
<p>Finding of Noncompliance: In reviewing NFI North's High School English Language Arts materials submitted the following standards were missing:</p> <ul style="list-style-type: none"> ○ <i>Opportunities to become familiar with the history of English – (1)</i> ○ <i>Opportunities to develop proficiency with an understanding and appreciation of various aspects of past and present cultures as expressed in literature – (2)</i> ○ <i>The understanding of literature and our literary heritage – (3)(a)(1)</i> ○ <i>Recognize how our literary heritage relates to the customs, ideas, and values of today's life and culture – (4)(j)</i> <p>Resulting in 4 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must revise its High School English Language Arts curriculum to include the standards listed above.</p> <p>Provide the updated High School English Language Arts curriculum which includes the standards above as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
14. Ed 306.45(e)	High School Science Program Standards
<p>Finding of Noncompliance: In reviewing NFI North's High School Science materials submitted the following standards were missing:</p> <ul style="list-style-type: none"> ○ Biology – (b) <ul style="list-style-type: none"> ▪ <i>Organic evolution and patterns and products of specialization</i> – (6) ▪ <i>Environmental factors that affect on communities, biome, and the biosphere</i> – (7) ○ Earth and Space Science – (e) <ul style="list-style-type: none"> ▪ The earth is a complex planet with 5 interacting systems, namely – (2) <ul style="list-style-type: none"> • <i>Ice or cryosphere</i> – (iv) • <i>Life or biosphere</i> – (v) <p>Resulting in 2 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must revise its High School Science curriculum to include the standards listed above.</p> <p>Provide the updated High School Science curriculum which includes the standards above as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
15. Ed 306.46(c)	High School Social Studies Program Standards
<p>Finding of Noncompliance: In reviewing NFI North's High School Social Studies materials submitted the following standards were missing:</p> <ul style="list-style-type: none"> ○ <i>Opportunities for students to acquire the knowledge, skills, and attitudes necessary for effective participation in the life of the community, the state, the nation, and the world</i> – (2) ○ <i>Opportunities to practice citizenship in the school and community</i> – (3) <p>Resulting in 2 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must revise its High School Social Studies curriculum to include the standards listed above.</p> <p>Provide the updated High School Social Studies curriculum which includes the standards above as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
16. Ed 306.37(c)	High School Physical Education
<p>Finding of Noncompliance: In reviewing NFI North's Program of Studies Global Sports was listed however no curriculum was provided resulting in 1 finding of noncompliance.</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must provide a curriculum for Global Sports or remove it from the Program of Studies</p> <p>Provide the Global Studies Curriculum or the updated Program of Studies as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
17. Ed 306.27(b)(1)	Program of Studies
<p>Finding of Noncompliance: In reviewing NFI North's Program of Studies the following courses were listed, however no curriculum was submitted:</p> <p><u>Physical Education</u></p> <ul style="list-style-type: none"> • No curriculum for Global Sports. <p><u>Mathematics</u></p> <ul style="list-style-type: none"> • No curriculum submitted for High School Mathematics: Concepts and Skills. • No curriculum submitted for Advanced Algebra I. • No curriculum submitted for Advanced Geometry. • No curriculum submitted for Measurement and Its Applications. • No curriculum submitted for Business Math. <p><u>Humanities</u></p> <ul style="list-style-type: none"> • No curriculum submitted for all Humanities courses; <ul style="list-style-type: none"> ○ Humanities Civics ○ Humanities Eco ○ Humanities US ○ Humanities WH <p>Resulting in 7 findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of the Regulations: NFI North must revise its Program of Studies and submit the required curriculum.</p> <p>Provide the updated Program of Studies and curriculum as well as a description of the method used to inform staff of the revision to the NHDOE as soon as possible, but no later than 6 months from the date of this report.</p>	

Personnel

The Bureau of Special Education has reviewed NFI North personnel certifications using the New Hampshire Educator Information System. The review process was for educators employed during 2018 – 2019 school year.

The personnel roster that was provided by NFI North was compared to the data in the New Hampshire Educator Information System. Each personnel member’s endorsement was compared to the subject/assignment. This process was used for personnel that hold 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 private provider 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 1114.10(a), 34 CFR 300.18, and 34 CFR 300.156.

Based on the review of NFI North's personnel certifications, the monitoring team determined there were **2 findings of noncompliance**.

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
1. 34 CFR 300.18; 34 CFR 300.156; Ed 1114.10(a)	Personnel Standards
<p>Corrective Action regarding the Implementation of the Regulations: NFI North did not provide any evidence that they have certified teachers or consultants in the following content areas:</p> <ul style="list-style-type: none"> • Contoocook School <ul style="list-style-type: none"> ○ Physical Science • Davenport School <ul style="list-style-type: none"> ○ Physical Science <p>Resulting in two findings of noncompliance</p>	
<p>Corrective Action regarding the Implementation of Regulations: NFI North must hire or contract with teachers that currently hold appropriate credentials in each area listed above.</p> <p>Provide the full legal names as they appear on their credentials and endorsements of each certified staff or contracted teacher for each of the content areas above, as well as their individual assignment and grade levels taught as well as a description of the method used to inform staff to the NHDOE as soon as possible but no later than 6 months from the date of this report.</p>	

NFI North was notified of the concerns listed above, via email, on January 10, 2020. Staff specific information was included in the email.

Approval Requirements

Each private provider must meet the requirements for special education program approval pursuant to The Individuals with Disabilities Education Improvement Act (IDEA) (2004), The New Hampshire Standards for the Education of Children with Disabilities, and New Hampshire State Statutes (RSA 186-C:5, RSA 189:64). If seeking nonpublic school approval each private provider must meet the requirements of The New Hampshire Rules for the Approval of Nonpublic Schools (Ed 400, 2005).

The monitoring review for the approval of private provider special education programs includes an application with specified materials that must be submitted to the Bureau by October 15 in the year they are monitored.

Based on the review of the NFI North's application materials, the monitoring team determined there were **no findings of noncompliance**.

Monitoring of the Implementation of Special Education Process

Private providers are responsible for implementing the special education process in accordance with IDEA and the *New Hampshire Standards for the Education of Children with Disabilities*. The self-assessment data collection form highlights the private providers' 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*. The private provider cites the evidence of compliance in the self-assessment prior to the monitoring visit. During the monitoring visit, the monitoring team verified the evidence of compliance based on review of the student file, using the private providers' self-assessment as a resource. In the case of student specific finding(s) of noncompliance, the sending District is cited for noncompliance, as well as the private provider.

Based on this review, the Bureau of Student Support identified findings of noncompliance with IDEA and the *New Hampshire Standards for the Education of Children with Disabilities*. The findings include the citation, the area of noncompliance, and the required corrective actions, which include timelines for demonstrating correction of noncompliance. Student specific information will not be included in the report but will be provided to the private provider and, when appropriate, a district's Administrator of Special Education.

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 private provider has corrected each individual case of noncompliance, unless the child is no longer placed at the program. These areas must be corrected as soon as possible with state timelines given in the report for each area. The Bureau will return to the program, typically within 3 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 private provider's participating in professional development training to appropriate personnel with regards to areas found to be in noncompliance. The Bureau will review updated data collected after the identification of noncompliance to demonstrate that the program 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 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 “5 out of 6 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.” This means that 6 files were reviewed and 5 files were found to be in compliance.

In cases where there was a finding of noncompliance for a particular student, the chart identifies the **First Stage Corrective Action of Individual 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 Bureau will return to the private provider program within 3 months following the program 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 informs the private provider program of any practices or procedures which need to be corrected as well as trainings for personnel to inform them of the corrections as a result of the findings of noncompliance. The required corrective action for the program 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 the program 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 Bureau will verify compliance through a subsequent on-site review of the new files within one 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 the private provider program.**

Findings of Noncompliance

When determining compliance, the NHDOE reviews the currently agreed upon/signed IEP at the on-site monitoring visit. During the on-site monitoring visit there were **no files** which could not be reviewed for sections B(#2), D(#11-17), E(#18-22), F(#23), G (#24-26), H(#27), I(#29), J(#30-31), K(#32-41), L(#42), and M(#43-45) as there was no parent and/or LEA signature indicating consent / approval of the provisions of the IEP.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
Ed 1114.05		A. Record of Access; Confidentiality Requirements
Self-Assessment Question Number & Regulatory Component		Review Status
1.	34 CFR 300.614 Ed 1119.01(a)	4 out of 4 IEP 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, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.323 Ed 1109		B. Individualized Education Program
Self-Assessment Question Number & Regulatory Component		Review Status
2.	Ed 1109.04(a)	4 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.
3.	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>(1 student file was of a student with an initial IEP or who moved from another state or district.)</i>
4.	34 CFR 300.323(a) Ed 1109.03(d)	3 out of 3 IEP files demonstrated evidence that the IEP was in place at the beginning of the school year. <i>(1 student file was of a student placed after the beginning of school year)</i>

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.321 Ed 1103.01		C. IEP Team; Participants in the Special Education Process
Self-Assessment Question Number & Regulatory Component		Review Status
5.	34 CFR 300.321(a)(1) Ed 1103.01(a)	4 out of 4 IEP files demonstrated evidence that one or both of the parents are present at the IEP team meeting or are afforded the opportunity to participate.

6.	34 CFR 300.321(a)(2) Ed 1103.01(a)	4 out of 4 IEP files demonstrated evidence that not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment) participated in the meeting. <i>(No student files had regular education teacher(s) excused per 34 CFR 300.321(e).) (No student files were of students that are not and will not participate in the regular education environment.)</i>
7.	34 CFR 300.321(a)(3) Ed 1103.01(a)	4 out of 4 IEP files demonstrated evidence that not less than one special education teacher or, where appropriate, not less than one special education provider of the child participated in the meeting. <i>(No student files had special education teacher(s) or special education provider(s) excused per 34 CFR 300.321(e).)</i>
8.	34 CFR 300.321(a)(4) Ed 1103.01(a)	4 out of 4 IEP files demonstrated evidence that the IEP Team included an LEA representative.
9.	Ed 1103.01(d)	0 out of 0 IEP files demonstrated evidence that, if vocational, career or technical education components are being considered, the IEP team membership included an individual knowledgeable about the vocational education programs and/or career technical education being considered. <i>(4 student files were students for whom vocational education/CTE were not considered.)</i>
10.	Ed 1103.02(a),(c), (d)	0 out of 0 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>(4 student files were students for whom the written invitation is the responsibility of the LEA.)</i>

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320		D. Individualized Education Program (Present Levels of Academic Achievement and Functional Performance)
Self-Assessment Question Number & Regulatory Component		Review Status
11.	34 CFR 300.324(a)(1)(i)	4 out of 4 IEP files demonstrated evidence that the team considered the strengths of the child.
12.	34 CFR 300.324(a)(1)(iv)	4 out of 4 IEP files demonstrated evidence that the team considered the academic, developmental, and functional needs of the child.
13.	34 CFR 300.324(a)(1)(ii)	4 out of 4 IEP files demonstrated evidence that the concerns of the parents for enhancing the education of their child were considered.
14.	34 CFR 300.324(a)(1)(iii)	3 out of 4 IEP files demonstrated evidence that the results of the initial or most recent evaluation of the child were considered. For student code(s) B there was insufficient evidence demonstrating compliance with this requirement.
15.	34 CFR 300.320(a)(1)(i)	4 out of 4 IEP files demonstrated evidence of a statement in the IEP that describes how the student's disability affects the student's involvement and progress in the general education curriculum. <i>(No student files were preschool age students.)</i>
16.	34 CFR 300.320(a)(4)(ii)	4 out of 4 IEP files demonstrated evidence of a statement in the IEP that describes how the student's disability affects non-academic areas.

17.	34 CFR 300.320(a)(1)(ii)	For preschool children, 0 out of 0 IEP files demonstrated evidence of a statement in the IEP that describes how the disability affects the child's participation in appropriate activities. <i>(4 student files were not of preschool age students.)</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 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.</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 include in student's IEPs the most recent evaluations of the child.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the private provider'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 2 new student files (2 at Contoocook School Program) for updated data demonstrating compliance with this requirement.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.324(a)(2)(i) Ed 1109.03(h)		E. Consideration of Special Factors
Self-Assessment Question Number & Regulatory Component		Review Status
18.	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 IEP files demonstrated evidence that the team considered the use of positive behavioral interventions and supports, and other strategies, to address that behavior. <i>(1 student file was not of a student whose behavior impedes learning.)</i>
19.	34 CFR 300.324(a)(2)(ii) Ed 1109.03(h)	When a child demonstrates limited English proficiency, 0 out of 0 IEP files demonstrated evidence that the team considered the language needs of the child as those needs relate to the child's IEP. <i>(4 student files were not of students who demonstrated limited English proficiency.)</i>
20.	34 CFR 300.324(a)(2)(iii) Ed 1109.03(h)	When a child is blind or visually impaired, 0 out of 0 IEP files demonstrated evidence that the 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>(4 student files were not of blind or visually impaired students.)</i>
21.	34 CFR 300.324(a)(2)(iv) Ed 1109.03(h)	4 out of 4 IEP files demonstrated evidence that the IEP Team considered the communication needs of the child, and in the case of a child who is deaf or hard of hearing, considered 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.
22.	34 CFR 300.324(a)(2)(v) Ed 1109.03(h)	1 out of 1 IEP files demonstrated evidence that the IEP Team considered whether the child needs assistive technology devices and services. <i>(3 student files were not of students who need assistive technology.)</i>

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
Ed 1109.01(a)(10)		F. Courses of Study
Self-Assessment Question Number & Regulatory Component		Review Status
23.	Ed 1109.01(a)(10)	For each student with a disability beginning at age 14 or younger, if determined appropriate by the IEP team, 3 out of 3 IEP files demonstrated evidence 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 or a vocational education, or career technical education.. <i>(1 student files were students aged 13 or younger who will not be turning 14 during the IEP period and no evidence the IEP team determined this is necessary.)</i>

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(2)(i) Ed 1109.01(a)		G. Measurable Annual Goals; Short-term Objectives or Benchmarks
Self-Assessment Question Number & Regulatory Component		Review Status
24.	34 CFR 300.320(a)(2)(i) Ed 1109.01(a)(1)	4 out of 4 IEP files demonstrated evidence of a statement of measurable annual goals, including academic and functional goals.
25.	34 CFR 300.320(a)(2)(i)(A) Ed 1109.01(a)(1)	3 out of 4 IEP files 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 as well as the child's other educational needs that results from the child's disability. For student code(s) B there was insufficient evidence demonstrating compliance with this requirement.
26.	Ed 1109.01(a)(6)	4 out of 4 IEP files 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 private provider must amend the IEPs to include measurable goals that meet the child's needs that result from the child's disability and the child's other educational needs.</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 including goals that meet the child's needs that result from the child's disability and other educational needs.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the private provider'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 2 new student files (2 at Contoocook School Program) for updated data demonstrating compliance with this requirement.</p>		

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
Ed 1109.01(a)(8)		H. Review and Revision of IEPs (Measuring Progress)
Self-Assessment Question Number & Regulatory Component		Review Status
27.	Ed 1109.01(a)(8)	4 out of 4 IEP files 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
Ed 1114.06(b)		I. Responsibilities of Private Providers of Special Education or other Non-LEA Programs in the Implementation of IEPs
Self-Assessment Question Number & Regulatory Component		Review Status
28.	34 CFR 300.325(b) Ed 1109.05 Ed 1114.06(a);	For the purpose of initiating the process for all matters concerning possible changes and/or modification in the identification, evaluation, development and/or revision of an IEP or changes in placement of a child with a disability, 3 out of 3 IEP files demonstrated evidence that the private provider contacted the sending school district. <i>(1 student file had no changes in the child's identification, evaluation, development or revision of the IEP or placement)</i>
29.	Ed 1114.06(i), (j), (k)	4 out of 4 IEP files demonstrated evidence that a minimum of 3 comprehensive reports per year are completed on each child with a disability enrolled in the program.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.323(d)(2)(ii) Ed 1109.03(a); Ed 1109.03(v); Ed 1102.01(b)		J. Accessibility of Child's IEP to Teachers and Others (General Accommodations and General Modifications)
Self-Assessment Question Number & Regulatory Component		Review Status
30.	Ed 1102.01(b)	If accommodations are included, 4 out of 4 IEP files 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. <i>(No student files were students with no accommodations.)</i>
31.	Ed 1102.03(v)	If modifications are included, 1 out of 1 IEP files demonstrated evidence that the modifications are changes in instruction or evaluation determined necessary by the IEP team that impact the rigor, validity, or both of the subject matter being taught or assessed. <i>(3 student files were students with no modifications.)</i>

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a) Ed 1109.01(a)(1); 1109.04(b)		K. 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
32.	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	4 out of 4 IEP files demonstrated evidence of a statement of special education.
33.	Ed 1109.04(b)(1)	4 out of 4 IEP files demonstrated written evidence documenting implementation of the IEP with regards to all special education services provided.
34.	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	2 out of 2 IEP files demonstrated evidence of a statement of related services. <i>(2 student files were students for whom there was no evidence that the IEP team determined this is necessary.)</i>
35.	Ed 1109.04(b)(1)	2 out of 2 IEP files demonstrated written evidence documenting implementation of the IEP with regards to all related services provided. <i>(2 student files were students for whom there were no related services in the IEP.)</i>
36.	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	0 out of 0 IEP files demonstrated evidence of a statement of supplementary aids and services. <i>(4 student files were students for whom there was no evidence that the IEP team determined this is necessary.)</i>
37.	Ed 1109.04(b)(2)	0 out of 0 IEP files demonstrated written evidence documenting implementation of the IEP with regards to any supplementary aids and services provided. <i>(4 student files were students for whom there were no supplementary aids and services in the IEP.)</i>
38.	34 CFR 300.320(a)(4) Ed 1109.01(a)(1)	0 out of 0 IEP files demonstrated evidence of a statement of the supports for school personnel. <i>(4 student files were students for whom there was no evidence that the IEP team determined this is necessary.)</i>
39.	Ed 1109.04(b)(4)	0 out of 0 IEP files demonstrated written evidence documenting implementation of the IEP with regards to supports for school personnel. <i>(4 student files were students for whom there were no supports for personnel in the IEP.)</i>
40.	34 CFR 300.320(a)(7) Ed 1109.01(a)(1)	4 out of 4 IEP files demonstrated evidence of a projected date for the beginning of the services and modifications described in the supports and services section of the IEP.
41.	34 CFR 300.320(a)(7) Ed 1109.01(a)(1)	4 out of 4 IEP files demonstrated evidence of the anticipated frequency, location, and duration of those services and modifications described in the supports and services section of the IEP.

COMPLIANCE CITATIONS		AREA OF COMPLIANCE
34 CFR 300.320(a)(5) Ed 1109.01(a)(1)		L. Definition of Individualized Education Program (Justification for Non-Participation)
Self-Assessment Question Number & Regulatory Component		Review Status
42.	34CFR 300.320(a)(5) Ed 1109.01(a)(1)	4 out of 4 IEP files 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)		M. Definition of Individualized Education Program (State and District Wide Assessments)
Self-Assessment Question Number & Regulatory Component		Review Status
43.	34 CFR 300.320(a)(6)(i) Ed 1109.01(a)(1) RSA 193-C Ed 1114.05(k)	3 out of 3 IEP files 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. <i>(1 student file was of a student for whom there were no state or district wide assessments for the student's age/grade level.)</i>
44.	34 CFR 300.320(a)(6)(ii)(A) Ed 1109.01(a)(1) RSA 193-C Ed 1114.05(k)	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 IEP files demonstrated evidence of a statement of why the child cannot participate in the regular assessment. <i>(4 student files were of students not taking an alternate assessment.)</i>
45.	34 CFR 300.320(a)(6)(ii)(B) Ed 1109.01(a)(1) RSA 193-C Ed 1114.05(k)	When the child is taking an alternate assessment, 0 out of 0 IEP files demonstrated evidence describing why the particular alternate assessment selected is appropriate for the child. <i>(4 student files were of students not taking an alternate assessment.)</i>