



**Sanborn Regional School District – SAU 17**  
Office of Student Services  
51 Church Street  
P.O. Box 429  
Kingston, NH 03848  
603-642-3688 FAX: 603-642-7885

# **Sanborn Regional School District**

## **Special Education Procedures Plan**

**Revised January 2021**

**SCHOOL ADMINISTRATIVE UNIT # 17  
ADMINISTRATION**

**SUPERINTENDENT OF SCHOOLS**

Thomas Ambrose, C.A.G.S

**DIRECTOR OF STUDENT SERVICES**

Jodi Gutterman, C.A.G.S

**DIRECTOR OF TEACHING AND LEARNING**

Patricia Haynes, Ph.D.

**BUSINESS ADMINISTRATOR**

Matthew Angell, J.D.

**SPECIAL EDUCATION ADMINISTRATIVE STAFF**

Kim Murphy – Office of Student Services Administrative Assistant  
Denise Harrington – NHSEIS and Medicaid Administrative Assistant  
Constance Carson – Sanborn Regional High School Special Ed Building Coordinator  
Stacey Wooster – Sanborn Regional Middle School Special Ed Building Coordinator  
Jill Lizier – Memorial School Assistant Principal & Special Ed Building Coordinator  
Lorin Caffelle – D.J. Bakie School Assistant Principal & Special Ed Building Coordinator  
Melissa Khalil – Pre-School Coordinator

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## **Special Education Procedures Plan Ed 1126.01(b)**

This Special Education Procedures Plan describes Sanborn Regional School District's (LEA) procedures regarding the provision of a free and appropriate public education (FAPE) to all children with disabilities. The LEA will annually review this special education procedural plan so that the procedures reflect current federal and state regulations.

This Plan has been developed to assure the State Education Agency (SEA), New Hampshire Department of Education, that the LEA has procedures to meet the eligibility requirements of Part B of the IDEA for purposes of receiving federal funds.

This Plan is aligned with 34 CFR Part 300 of the Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities - Final Rules – August 14, 2006 (IDEA 2004) and the New Hampshire Standards for the Education of Children with Disabilities, effective March 24, 2017, amended June 14, 2018, amended August 9, 2018 (NH Standards).

**Child Find Procedure**  
**34 CFR 300.111 Ed 1126.01(b)(1) Ed 1105**  
**Participation with Other Agencies**  
**Ed 1126.01(b)(10)**

The Sanborn Regional School District understands that we have an obligation to find children who are potentially a child with a disability who is 2.5 years of age up to 21 years of age. This responsibility is known as child find, and is defined in the NH Standards for the Education of Children with Disabilities under section Ed 1105.

The Sanborn Regional School District ensures that all children who have disabilities, from 2.5 to age 21, who reside in the District, and who are in need of special education and related services are identified, located and evaluated. This applies to all children with disabilities, including highly mobile children (such as migrant and homeless children), children placed in homes for children, health care facilities, or state institutions, and children who are suspected of being eligible under IDEA, even though they are advancing from grade to grade. In addition, this applies to those children attending approved, non-public private schools within the geographic boundaries of the District.

All data and information collected and used under this section are subject to confidentiality requirements as described in Section 2 - Confidentiality.

**Annual Dissemination of Child Find Procedures**

On an annual basis, the District publicizes and disseminates information, which describes its Child Find Program. This includes a description of the District's special education program, supports and services, including a contact person, his/her functions, and the manner by which he/she might be contacted for further information or referral.

The District shall annually provide all parents of children with disabilities information regarding their rights and responsibilities under federal and state special education laws. Information is disseminated annually through school/district newsletters and/or on the website under the Special Education Department.

If you suspect your child has a disability and may need special education services or 504 accommodations, or if you would like additional information, please contact your child's teacher, building special education coordinator, guidance counselor, or call:

**Jodi Gutterman**  
**Director of Student Services**  
**51 Church Street, PO Box 429**  
**Kingston, NH 03848**  
**(603) 642-3688 x 216**

## Referral Process

The District has established referral procedures, which ensure that all students who are suspected or known to be a child with a disability are referred to the Special Education Evaluation Team for further evaluation. These procedures are found in Section 8 – Pupil Evaluation to Placement.

Any person may refer a child to the IEP team for reasons including but not limited to the following (list is not exhaustive):

- a. Failing to pass a hearing or vision screening;
- b. Unsatisfactory performance on group achievement test or accountability measures;
- c. Receiving multiple academic and/or behavioral warnings or suspensions/expulsion
- d. from a child care or after school program; and
- e. Repeatedly failing one or more subjects.
- f. Inability to progress or participate in developmentally appropriate preschool activities; and
- g. Receiving services from family centered early supports and services.

The District ensures that all referrals from parents and others (including teachers and area agencies/private/charter schools) who suspect or know a child with a disability are forwarded to the special education evaluation team. The District shall provide the parents with a written notice of any referral other than one initiated by the parent.

- A. Ensure there are continuing efforts related to cultural competency in relationship to public awareness and child find activities, such as the ability to communicate with and relate to parents and families in ways which are appropriate to their individual racial, ethnic, and/or cultural backgrounds.
- B. The District shall coordinate with area agencies and family centered supports and services to establish a process of district notification of children served by these programs consistent with the interagency agreement between the District and the area agencies providing family centered supports and services.
  1. Ed 1105.04(a): The LEA shall develop a written early transition process for children exiting family centered early supports and services which assures that any child who is potentially a child with a disability is evaluated and eligibility for special education is determined prior to the child's third birthday. If a child is determined to be a child with a disability eligible for special education and related services, the LEA shall ensure that an IEP is developed and implemented on/before the child's third birthday.
  2. Ed 1105.04 (b): The transition process in Ed 1105.04(a) shall include a written interagency agreement between the LEA and the local area agencies, as defined by RSA 171-A:21-b, responsible for the

provision of family centered supports and services in that community.

### **Transition Process for Children Exiting Family Centered Early Supports and Services Who is Potentially a Child with a Disability**

For those students who are transitioning from early supports and services to preschool, the District will participate in a transition planning meeting for the purposes of affecting a smooth and timely transition and implementing an Individual Education Program or Individual Family Support Plan by the child's third birthday. Sanborn Regional School District has an interagency agreement between the LEA and the local area agencies (Region 10 - Newton) and (Region 8 - Kingston).

### **Participation with Other Agencies**

On an annual basis, the District contacts all approved nonpublic private schools (including religious elementary and secondary schools) within its geographic boundaries regardless of where the child resides. The District shall conduct a consultation meeting and advise school officials of the District's responsibilities identify and evaluate all students who are suspected of or known to be a child with a disability enrolled in such schools. The District shall conduct child find activities that ensure equitable participation of private school students with disabilities and provide an accurate count of those students. All child find activities conducted for children enrolled in private schools by their parents shall be similar to those activities conducted for children who attend public schools in the District. Referrals from approved nonpublic schools shall be forwarded to an appropriate special education team for further consideration.

On an annual basis, the District contacts all community agencies and programs within its geographic boundaries that provide medical, mental health, welfare, and other human services, to advise them of the District's responsibility to identify and evaluate all students who may be a child with a disability. This includes homes for children, health care facilities, or state institutions within the boundaries of the District that may have knowledge of children with disabilities who are involved with the state court and for whom a special education program may be appropriate. Referrals from these agencies shall be forwarded to the special education evaluation team for further consideration.

## **Confidentiality of Information Ed 1126.01(b)(2) Ed 1119**

The Sanborn Regional School District adheres to the Confidentiality of Information regulations set forth in the NH Standards, the Federal Family Educational Rights and Privacy Act of 1974 20 U.S.C. 1232G, (FERPA) and its implementing regulations in 34 CFR Part 99 and the Individuals with Disabilities Education Act (IDEA 2004; 34 CFR 300.610-627).

### **Retention and Destruction of Special Education Records**

Please refer to Policy EHB, Data Records Retention and Policy, EHB-R, Local Records Retention Schedule for the Sanborn Regional School District's Retention and Destruction Policy and Procedures.

As per Department of Education Administrative Rule 1119.01, Confidentiality Requirements, section (b)(1), The District shall retain a student's special education records until at least the student's 25th birthday, unless written consent to destroy the records or a written request to destroy the records is received from the parent or, where applicable, the adult student pursuant to 34 CFR 300.624(b); and 1 The District shall maintain a copy of the last Individualized Education Plan ("IEP") that was in effect prior to the student's exit from special education until the student's 60th birthday, and The District shall provide parents, or where applicable the adult student, with a written notice of the District's document destruction policies upon the student's graduation with a regular high school diploma or at the transfer of rights, whichever occurs first, and The District shall provide public notice of its document destruction policy at least annually. Also, pursuant to 34 CFR 300.624, the District shall inform parents when personally identifiable information collected, maintained, or used under related to providing special education for their student is no longer needed to provide educational services to the child. The information must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

In addition to the above policies, the district ensures that each school year there is a current list of the names and positions of those employees within each school who may have access to personally identifiable information. The District provides parents on request a list of the types and locations of education records collected, maintained, or used by the District.

Please refer to Policy JRA, Student Records and Access (FERPA) and Policy JRA-E, Student Education Records - Annual Notice for additional information regarding the parent's right to inspect and review special education records.

### **Inspection and Review of Education Records**

Parents/eligible students may review and inspect their education records by the following procedure:

1. The parent/eligible student must make a written request to the Superintendent or building administrator to review the records.



2. The Superintendent or building administrator will comply with the request without unnecessary delay and in a reasonable period of time, but in no case more than 14 days after it received the request. However, for records pertaining to a student who is the subject of any IEP team meeting, due process hearing, or resolution session under special education laws, such records will be made available prior to such meeting, hearing or session to the extent required under applicable law, irrespective of whether fourteen days has passed after a request for such records.
3. The Superintendent or building administrator may deny a request for access to or copies of the student's education records if there is reasonable doubt as to the legality of the parent-child relationship. Access will be withheld until a determination of legal right to access can be established.
4. All records shall be reviewed in the presence of a school official.

Parents of special education students may also review upon request the following:

1. The School District's list of types and locations of education records and titles of officials responsible for the records.
2. The School District's record of disclosures of personally identifiable information (see Disclosure of Education Records). If for any valid reason such as working hours, distance between record location sites or health, a parent or eligible student cannot personally inspect and review a student's education records, the principal may arrange for the parent or eligible student to obtain copies of the records.

When records contain information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students. If such records do JRA Page 4 of 8 contain the names of other students, the principal will seek consultation with the Superintendent and/or the District's attorney to determine how best to proceed.

When records are requested, there shall be no charge to search for or retrieve education records of a student. The School District shall provide copies of education records to parents/eligible students upon request, subject to reasonable limitations. The cost of producing copies of the record to parents/eligible student will be ten cents (\$0.10) per page copied, plus postage. Parents/eligible students who are unable to pay such fees will not be denied access to education records.

In addition, the LEA at each school keeps a record of parties obtaining access to special education records collected, maintained, or used including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records (Record of Access form).

Please refer to Policy JRA, Student Records and Access (FERPA) and Policy JRA-E, Student Education Records - Annual Notice for additional information regarding the parent's right for requesting to amend records and resolving conflicts over records, including the opportunity for a hearing, as well as a request to destruct records.

Parents and eligible students shall be provided with notice of their rights under FERPA and other applicable federal and state laws and regulations concerning education records annually, at the beginning of each school year or upon enrollment if a student enrolls after the start of the school year. The School District may provide notice through any of the following means:

1. Mailing to students' homes;
2. Distribution to students to take home;
3. District web page;
4. Provided to students and eligible students; or
5. Publication in newsletters or other materials distributed to each parent/eligible student.

If the rights accorded to parents are transferred to a student who reaches the age of majority, the rights regarding education records are also transferred to the student. The LEA will provide any notice required to the student and the parents. The LEA shall notify parents of the transfer of their child's rights at the age of majority and the LEA must provide notice to both the parent and the student

The LEA shall obtain parental consent before personally identifiable information is disclosed to parties, other than officials of participating agencies (Authorization to Disclose/Release Information Form).

The LEA shall ensure that all persons collecting or using personally identifiable information must receive training or instruction regarding the State's policies and procedures pursuant to 34 CFR 300.623(c).

**The school district employees who are responsible for ensuring the confidentiality of any personally identifiable information is:**

Building Level Principals and Director of Student Services

**Facilities, Personnel & Services**  
**Ed 1126.01(b)(3)**

**Special Education Facilities, Personnel, and Services**

The Sanborn Regional School District shall take steps to ensure that children with disabilities have equal access to the variety of educational programs and services available to nondisabled children. The District ensures that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with students who do not have disabilities. Special classes, separate classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the uses of supplementary aids and services cannot be achieved satisfactorily. Placement decisions for children with disabilities shall be made on an individual basis by the IEP team and in accordance with the procedures described in Section 8 – Pupil Evaluation to Placement.

The District shall provide a full range of opportunities, programs and services to meet the unique needs of children with disabilities in the least restrictive educational setting. The District shall ensure that every child with a disability shall have full access to the general curriculum with accommodations and modifications as delineated in the IEP. This includes the provision of non- academic and extra-curricular services. These opportunities shall be provided through public school programs within and outside of the boundaries of the District.

The District shall provide access to vocational training and transition services as appropriate. Vocational and transition services are provided primarily within the District and at the high school level. Other student specific circumstances may be addressed as determined by the IEP team.

The District shall provide appropriate instructional equipment and material, including assistive technology devices and assistive technology services appropriate to implement each student's IEP.

The Sanborn Regional School District ensures that all special education personnel must hold the appropriate and current certification for their assignment(s) and that all qualified examiners must hold the appropriate license or certification for required assessments.

Teachers of students with disabilities, prior to employment, shall have valid New Hampshire certification with an endorsement appropriate for the disabilities of the students they serve. Additionally, special education teachers within the District must meet highly qualified teacher requirements for their respective teaching assignments, as designated by federal and state guidelines.

A detailed description of all the district's current Special Education programs can be found on the district's website under the Student Service Department. These programs are in accordance with the Continuum of Alternative Educational Environments-Ages 3-5 - Ed 1111.03 Table

1100.2 and Continuum of Alternative Learning Environments-Ages 6-21 – Ed 1111.03 Table 1100.3.

Table 1100.2 Continuum of Alternative Educational Environments – Ages 3-5

<u>Preschool Educational Environments</u>	<u>Description</u>
Early childhood program	A preschool child with a disability attends an early childhood program that includes at least 50% nondisabled children.
Home	A preschool child with a disability receives some or all of his/her supports and services in the child’s home.
Early childhood special education program	A preschool child with a disability attends an early childhood special education program which can include any of the classrooms described in Ed 1113.10(c)(5).
Service provider location	A preschool child with a disability receives supports and services from a service provider.
Separate school	A preschool child with a disability attends a publicly or privately operated separate day school facility designed specifically for children with disabilities.
Residential facility	A preschool child with a disability attends a publicly or privately operated residential school or residential medical facility on an inpatient basis.

Table 1100.3 Continuum of Alternative Educational Environments – Ages 6-21

<u>Educational Environments</u>	<u>Description</u>
Regular Education Setting	A child with a disability attends regular class with supports and services required in the IEP.

Resource room	A child with a disability attends a regular class and receives assistance at or through the special education resource room for no more than 60% of the child's school day.
Self-contained Special Education Class	A child with a disability attends a self-contained special class for more than 60% of their school day.
Separate Approved Special Education Program/School	A child with a disability attends a publicly or privately operated special education program/school.
Residential placement	A child with a disability attends a publicly or privately operated residential program.
Home Instruction	A child with a disability receives all or a portion of his or her special education program at home.
Hospital or institution	A child with a disability receives special education while in a hospital or institution.

**Facilities and Location**

Instructional areas for children with disabilities shall be located in classrooms with students of a similar chronological age and shall be comparable to other classrooms within the school. They shall be located in facilities that are, in the judgment of the IEP team, in the least restrictive environment.

The physical space used for classrooms and other instructional programs and school activities for children with disabilities shall be of sufficient size to accommodate program modifications and accommodations necessary to implement the children's IEPs and to provide for all other learning activities.

## **Personnel Development Ed 1126.01(b)(4)**

### **Personnel Development**

The mission of the Sanborn Regional School District is to work in partnership with the community to educate all learners in a safe environment. Together we are committed to providing these individuals with opportunities to develop the skills necessary to become responsible citizens who are capable of pursuing knowledge independently and making well-informed decisions.

The Sanborn Regional School District values professional development as fundamental to the success of the district. Professional development increases educators' knowledge and enhances their professional skills, deepens educators' understanding and appreciation for the varied needs of students, and enhances educators' capacity to facilitate the learning success of all students. This Professional Development Master Plan has been developed to provide the structure and means through which educators continuously enhance their professional competency, demonstrate the standards for supervision and evaluation, and simultaneously satisfy the NH recertification requirements enumerated in Education 512, Criteria for State Approval of Local Professional Development Master Plan. The primary aim of this master plan is the enhancement of learning for all students. As a means to that end, the procedures and tools of this plan are intended to facilitate individual and collective growth of all district educators.

This plan recognizes that high quality professional development that improves the learning of all students is:

- Driven by the results of a regular and systematic analysis of a variety of data and information on student learning;
- Focused on the effective implementation of research based educational practices;
- Responsive to the unique learning needs and styles of each individual educator;
- Accomplished through the development of collaborative learning communities whose goals are aligned with the improvement priorities of the district.

The District has adopted a Professional Development Master Plan to serve as a basic guideline for the operation of its professional development for the five-year period of July 1, 2016 to June 30, 2021 (available on the district website).

The District shall work to promote a climate that encourages the continuing education and training of all staff within the District. The Professional Development Master Plan shall advance an educational environment in which students receive high exposure to stimulating teachers, instructional materials and activities. Professional development activities that enhance the knowledge and skills of all staff related to the education of children with disabilities and increase their understanding of the diverse needs of all students shall be offered

to all teachers, specialists, paraprofessionals, administrators and other IEP team members.

A variety of professional development opportunities shall be available to District staff, including job-embedded activities, in-service workshops, conferences and/or formal coursework reimbursed through the District.

***PLEASE NOTE:** Staff members of the school District shall participate in child-specific training and professional consultation as required to help them understand various types of disabilities and meet the needs of individual students.*

**Procedural Safeguards**  
**34 CFR 300.504 Ed 1126.07(b)(7) Ed 1120**

The Individuals with Disabilities Education Act includes a section entitled "Procedural Safeguards". These safeguards are designed to protect the rights of children with disabilities and their parents. They also provide families and schools the means for resolving disputes that may arise throughout the special education process.

Sanborn Regional School District will give a copy of the current NH DOE's procedural safeguards notice to parents, including plain language explanations of parents' procedural rights, once per year, but at a minimum upon:

1. Initial referral for evaluation or parental request for an evaluation
2. The first time in a school year that a request for a due process hearing is filed
3. The first time in a school year that a complaint is filed
4. The date in which the decision is made to make a removal that constitutes a change in placement of a child with a disability because of a violation of a code of student conduct, in accordance with the discipline procedures in 34 CFR 300.536.
5. Upon request by the parent

**NH DOE LEA Procedural Safeguards & Due Process Procedures**

Please refer to the NH DOE LEA Procedural Safeguards, which can be found here:

[https://www.education.nh.gov/instruction/special\\_ed/proceduralsafeguards.htm](https://www.education.nh.gov/instruction/special_ed/proceduralsafeguards.htm)

or

[https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/2020-04/procedural\\_safeguards\\_handbook.pdf](https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/2020-04/procedural_safeguards_handbook.pdf)

Or, please refer to Policy IHBA-R, which can be found here:

<https://www.sau17.org/userfiles/4/my%20files/ihba-r.pdf?id=570>



**Pupil Evaluation to Placement**  
**Ed 1126.01(b)(8)**  
**Parent Involvement**  
**Ed 1126.01(b)(5)**

Sanborn Regional School District's plan includes a pupil evaluation to placement section. This section describes the LEA's procedures for referral, evaluation, development of IEPs, and placement for children with disabilities. These procedures involve parents in all aspects of the pupil evaluation to placement process.

The Sanborn Regional School District shall actively involve parents in all steps of the special education process. In addition to fulfilling legal requirements, the District recognizes the crucial and irreplaceable role parents play in the education of their children. Therefore, consistent efforts will be placed on keeping parents well informed within the context of a collaborative team process. In part this is accomplished by the dissemination of Procedural Safeguards Notice and Written Prior Notices.

The sequence of the special education process is: Note: Some of these required meetings may be combined. The special education process includes an annual review of the IEP and placement, which is based on information such as formal and informal evaluations, observations and progress on the current IEP goals and objectives.

Identification/Child Find NH Standards - Ed 1105

Referral NH Standards - Ed 1106

Evaluation NH Standards - Ed 1107

Determination of Eligibility NH Rules - Ed 1108

Development and Approval of the IEP NH Standards - Ed 1109

Placement NH Standards - Ed 1111

Monitoring and Annual Review of IEPs NH Standards Ed 1109.06

As per PART Ed 1106 REFERRAL AND DISPOSITION OF REFERRAL

Ed 1106.01 Process; Provision of FAPE. In order to provide a FAPE for children 2.5 years of age to 21 years of age there shall be a referral process in which:

(a) The LEA shall comply with 34 CFR 300.124 when accepting referrals and transitioning children from Part C of the IDEA to preschool programs;

(b) The LEA shall establish a process for referral and evaluation which includes individual participants responsible for decision-making and implementation;

(c) The LEA shall, upon receipt of a referral from any source, immediately notify the parent, in writing, of the referral;

(d) The IEP team shall within 15 business days of the referral, determine whether the concerns raised by the referral can be addressed utilizing existing pupil support services available to all children, whether additional information is required, and what evaluations, if any, are needed to address any remaining concerns raised by the referral;

(e) The IEP team shall, within 15 business days of the referral, give the parent written notice of its disposition of the referral. This notice to parents shall conform to the requirements of 34 CFR 300.503 through 300.504 and include a description of the LEA's special education procedures. When additional testing has been determined to be necessary, the notice shall also include a request for written consent to conduct any individual evaluations needed to determine the child's disabilities;

(f) The parent may, if the child's parent disagrees with the IEP team's disposition of the referral, request alternative dispute resolution as described in Ed 1122 or a due process hearing as described in Ed 1123;

(g) The LEA may take action consistent with 34 CFR 300.300 if parental consent for evaluation is not granted or if a parent fails to respond to a request for evaluation;

(h) Written parental consent shall be required for individual evaluations to further diagnose the needs of a child already determined to be a child with a disability; and

(i) The provision of FAPE by the LEA shall comply with 34 CFR 300.101(a), (b), and (c), and 34 CFR 300.530(d).

If you suspect your child may be eligible as a student with a disability, please contact your building level Special Education Coordinator for a referral packet. Upon informing a member of the school that you are requesting a referral for your child, an IEP team shall be convened within 15 business days.

### **Pupil Evaluation to Placement**

The LEA shall develop procedures regarding the special education evaluation process and comply with the requirements in Ed 1107 and include:

- A review of the child's educational history;
- The completion of assessments within the timelines for initial and reevaluations from the receipt of parental consent to evaluate;
- The evaluation requirements for children with specific learning disabilities;
- Independent educational evaluations;
- Qualified examiners; and
- Evaluation reports.

In accordance with Ed 1107 & CFR 300.304(c)(1)(i & ii); Sanborn Regional School District must ensure that; assessments and other evaluation materials used to assess a child under this part are selected and administered so as not to be discriminatory on a racial or cultural basis and

are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer, please also refer to page 26, Accessible Instructional Materials.

Should the child be eligible for special education, the IEP team shall then follow all state and federal timelines for ensuring an appropriate IEP be proposed to the parents and placement. Once parents sign an initial IEP, the team will reconvene at a minimum of yearly to update the current IEP to include, but not limited to, present levels, goals, special education and related services, transportation, if eligible, extended school year, if eligible, accommodations and modifications and placement. Please contact your building coordinator to discuss the complete process.

A meeting to develop an Individualized Education Program (IEP) for the child shall be conducted within 30 calendar days of a determination that the child needs special education and related services. For previously identified children with disabilities, the IEP must be in place at the beginning of the school year. The District shall take steps to ensure that one or both of the child's parents attend each IEP meeting or are afforded the opportunity to participate. IEP meetings will be scheduled during the day at a mutually convenient time and place. The District shall ensure that parents of a child with a disability receive written notice no fewer than 10 calendar days before an IEP meeting is to occur. The notice shall include the purpose, time, location, and identification of the participants. The 10-day notice requirement may be waived with the written consent of the parent or upon the written request of the parent. If the parent is unable to attend a meeting, they may ask for it to be rescheduled or held in a different location. The District shall consider alternative ways for a parent to participate if he or she is not able to physically attend a meeting, such as a telephone conference call. If for some reason parents cannot take part in scheduled meetings, documentation of the attempts made to include the parent shall be kept.

A team approach shall be used to develop an IEP for each child with a disability. The IEP team shall include:

1. The parents of the child
2. Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
3. Not less than one special education teacher of the child, or, where appropriate, not less than one special education provider of the child
4. A representative of the public agency who: a. Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities b. Is knowledgeable about the general curriculum; and c. Is knowledgeable about the availability of resources of the public agency
5. An individual who can interpret instructional implications of evaluation results,
6. Other individuals who have knowledge or special expertise regarding the child (at the discretion of the parent or school District),
7. Transition service representative if applicable
8. If appropriate, the child.

A team member may be excused from the whole or part of the meeting if the parent and the District agree the member's area of curriculum or related services is not being modified or discussed.

The team member may be excused only if the parent and the district provide written consent to the excusal. The team member must submit written suggestions about the development of the IEP to the parent and IEP team prior to the meeting.

In the case of a child who was previously provided services Early Supports and Services (Part C of the IDEA), an invitation to the initial IEP Team meeting shall, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services.

Team members may, at times, fulfill more than one role.

IEPs shall be developed collaboratively and include all necessary components as designated in state and federal laws and regulations. Transition goals, related services and/or supports shall be included in the discussion and incorporated into the IEP as appropriate. This includes transition to adult life as well as transitions from grade to grade, school to school or from one agency to another. Necessary supports to ensure successful transitions will be documented. When a vocational education component is being considered for a child with a disability, vocational assessment(s) shall be administered to the child by diagnosticians qualified as specified by the publisher of the assessment. The IEP team membership shall include an individual knowledgeable about the vocational program(s) being considered. If the IEP team determines that vocational education is to be provided, a vocational education component shall be included as an integral part of the IEP.

Goals and objectives, as well as any appropriate accommodations and/or modifications, will be developed for the IEP unless the student will participate in the vocational class/program without the need for modifications. Transition goals related to vocational programming will be reflected in the Individual Transition Plan and in the summary of the child's academic achievement and functional performance (completed before graduation from secondary school with a regular diploma or exceeding the age of eligibility for FAPE). The District shall ensure that each child with a disability has access to appropriate instructional equipment and materials for the proper and timely implementation of the IEP, including assistive technology devices or aids.

The LEA shall provide each teacher and service provider listed as having responsibilities for implementing the IEP with a copy of the complete IEP for working and monitoring purposes. In addition, the LEA shall provide a private school or non-district provider responsible for implementing the IEP with a copy of the IEP on or before the first day of placement.

The District shall maintain written evidence documenting implementation of the child's IEP, including, but not limited to:

1. all special education and related services provided;
2. any supplementary aids and services provided;

3. program modifications made; and
4. supports provided for school personnel implementing the IEP.

The IEP team shall determine the appropriate duration of an IEP, which shall not exceed 12 months. The IEP shall be reviewed at least annually and, if necessary, revised. The LEA shall conduct annually, at or near the end of the term of the IEP, a meeting for the purpose of assessing the effectiveness of the present program, and to design an IEP, including Extended Year Services if determined by the IEP team to be necessary for FAPE. The District shall seek to obtain informed consent from a parent on the IEP before providing special education and related services to a child.

In making placement decisions, the IEP team shall:

1. Draw upon information from a variety of sources, including but not limited to aptitude and achievement tests and teacher recommendations;
2. Consider information about the student's physical condition, social or cultural background, and adaptive behavior;
3. Ensure that information obtained from all of these sources is documented and carefully considered;
4. Ensure that the placement decision is made by a group of persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.
5. Each LEA shall ensure that to the maximum extent appropriate, children with disabilities, including children in public or private providers of special education, are educated with children who do not have disabilities and that, consistent with 34 CFR 300.114, special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or the severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

The District shall offer a continuum of alternative learning environments from least restrictive to most restrictive. These learning environments shall range from regular classes to a home environment and shall be available for children with disabilities including children of preschool age. For more information on the continuum of services, please refer back to pages 11-13 of this document. Supplementary services shall be provided in conjunction with regular class placement. Each child's educational placement shall be reviewed annually and shall be based on his/her individualized education program (IEP). The placement shall be as close as possible to the child's home. If possible, a child with a disability shall be educated in the school he/she would attend if a disability did not exist.

The least restrictive environment shall be selected with consideration given to any potentially harmful effects to the child or on the quality of services described in the child's individualized education program. The District shall ensure that children with disabilities participate with non-disabled peers, to the maximum extent possible, in non-academic activities such as recess, lunch and specials (art, music). The District shall ensure that parents are afforded the same notification for placement meetings as they receive for IEP meetings, including a minimum of 10-day notice, unless the 10-day notice requirement is waived in writing. Special education placements shall require written consent from parents prior to implementation, and shall be determined at least annually.

Graduation from high school with a regular high school diploma shall constitute a change in placement, requiring written prior notice and parental consent. Graduation from high school with a regular high school diploma does not however, require evaluations to discharge from special education services. A summary of performance shall be developed by the student, IEP team and parents to facilitate information sharing after the student leaves school.

## **Parent Consent**

Per Ed 1120.04, School districts must request parental consent, in writing, for special education and related services to be provided to a child with a disability, as well as for other activities that are part of the special education process, except in certain circumstances.

School districts must obtain your informed, written consent before:

- Conducting an initial evaluation;
- Initial provision of special education and related services to a child with a disability;
- Annual renewal of the IEP and placement of a child with a disability;
- Determining or changing the disability classification;
- Changing the nature or extent of the special education or special education and related services; Conducting a reevaluation;
- Access to public insurance pursuant to 34 CFR 300.154(d); and
- Each time the school district proposes to access private insurance.

Consent is also required for:

- Time extensions for reevaluations. Upon written consent of the parties, the 60-day time limit required by Ed 1107.01(d) may be extended by a specific number of days, not to exceed 30 days.
- Excusal of the IEP Team members under certain conditions (Ed 1103.01(e)).

School districts are not required to obtain your consent before:

- Reviewing existing data as part of your child's evaluation or reevaluation; or
- Administering a test or other evaluation that is given to all children, unless consent is required of parents of all children.

Special circumstance: If the school district does not receive your written consent within 14 days and it can demonstrate that it has taken reasonable measures to obtain your consent, the school district may implement the following:

- Annual renewal of the IEP and placement of a child with a disability;
- Determining or changing the disability classification;
- Changing the nature or extent of the special education or special education and related services; Conducting a re-evaluation.

“Reasonable measures” include detailed records of telephone calls attempted and the results of those calls, copies of correspondence sent to you (by certified mail, return receipt requested) and

any responses received, and/or detailed records of visits made to your home or workplace and the results of those visits.

For children who are in the custody of DCYF, and parental rights have been terminated, the state may appoint an educational surrogate.

NOTE: The term “parent,” means a biological or adoptive parent, surrogate parent or a guardian pursuant to 34 CFR 300.30.

**Program Evaluation**  
**1126.01(b)(9)**

Sanborn Regional School District's Plan includes a program evaluation component. The LEA's procedures for program evaluation determine the effectiveness of special education programs and services in meeting the needs of the children with disabilities; include looking at individual student growth for those children accessing specific programs. Currently, the district maintains a cognitive and behavioral program at each elementary level, middle school, and high school level. Specifics regarding the specialized resource rooms and self-contained programs can be found on the district's website.

The decision where a child with a disability receives supports and services shall occur after the development and approval of the individualized education program (IEP). The placement decision shall be based on the unique educational needs of the child as specified in the individualized education program and the requirements for placement in the least restrictive environment.



**Children with Disabilities Enrolled by Their Parents in Private Schools  
Ed 1126.01(b)(11)**

Sanborn Regional School District has procedures in place that are designed to ensure the equitable participation of children with disabilities who are enrolled by their parents in private schools that are located within the jurisdiction of the Sanborn Regional School District in accordance with 34 CFR 300.131 (Child find for parentally-placed private school children with disabilities), 34 CFR 300.111 (Child Find) and 34 CFR 300.201 (Consistency with state policies).

Currently, there are no NH approved private schools housed in the communities of Kingston or Newton. Shall this change, this manual will be amended to reflect a district procedure to ensure equitable services.

**Accessible Instructional Materials**  
**Ed 1126.01(b)(12)**

Sanborn Regional School District ensures that it has taken reasonable steps to provide children with disabilities who need instructional materials in accessible formats those appropriate materials at the same time other children receive their instructional materials.

Such materials may include, but are not limited to, Braille texts, books-on-tape, specialized software, etc. IEP teams will determine if a student requires accessible instructional materials. Once a decision is made that a student does require accessible instructional materials, special education teachers, related service providers, building level Special Education Coordinators, outside consultants, the Director of Student Services, and other experts as determined in the field will determine what instructional materials would be relevant and then work on obtaining such materials in a timely manner, not to exceed 15 business days without prior notification to parents/guardians.