



School Administrative Unit 41

Hollis, Brookline, and Hollis Brookline Cooperative School Districts

Special Education Policies and Procedures Manual

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School Administrative Unit #41
Central Office Administration

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Introduction

SPECIAL EDUCATION PROCEDURES PLAN [1126.01(b)]

This Special Education Procedures Plan (Plan) describes the procedures of the Hollis, Brookline, and the Hollis Brookline Cooperative School Districts, collectively SAU 41 (LEA), regarding the provision of a free and appropriate public education (FAPE) to all children with disabilities (Policy IHBA). The LEA will annually review this Plan so that the procedures reflect current federal and state regulations.

[IHBA - Brookline](#)

[IHBA - Coop](#)

[IHBA - Hollis](#)

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).

Throughout the Plan, the reference to “District” includes the Hollis, Brookline, and Hollis Brookline Cooperative School Districts, collectively, all of which comprise SAU 41.

PUBLIC PARTICIPATION [Ed 1126.01(b)(6)]

A copy of the District’s Special Education Plan shall be available for review by parents, other agencies, and the general public. Copies of the Plan are located at the SAU 41 administration office, the SAU 41 website and the Special Education Administrator’s office in each of the District’s school buildings.

The Special Education Plan shall be reviewed and revised as necessary under the supervision of the Assistant Superintendent of Student Services. When the plan is under review, the public shall be notified and given a minimum of 10 days to review the information and provide written input.

Notice regarding the availability of this plan and its revisions shall be disseminated to the public through formal District postings and notices in local newspapers/media outlets.

Each year, the Hollis, Brookline and Hollis Brookline Cooperative School Districts submit their “Annual Request for Federal Special Education Funds” to the NH Department of

Education for approval. The District provides reasonable opportunities for participation of teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of this program.

NONDISCRIMINATION

The District maintains policies of nondiscrimination as indicated by Policies AC and ACE, which may be found in **Appendix A** of this manual or at the links below.

Policy AC:

[AC - Brookline](#)

[AC - Coop](#)

[AC - Hollis](#)

Policy ACE:

[ACE - Brookline](#)

[ACE - Coop](#)

[ACE - Hollis](#)

LEGAL REFERENCES

Throughout this manual, there are references to State and Federal special education laws and regulations. The laws and regulations referenced may be found in the [New Hampshire Special Education Reference Manual \(New Hampshire Rules and Standards for the Education of Children with Disabilities](#), October 2023); available at [Laws Rules Policies](#), and 34 CFR Parts 300 and 301 [Part 300 Assistance to States for the Education of Children With Disabilities](#), updated annually at <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-III/part-300>.

Section 1. CHILD FIND PROCEDURES / PARTICIPATION WITH OTHER AGENCIES

CHILD FIND PROCEDURES [34 CFR 300.111; Ed 1126.01(b)(1); Ed 1105]

The District understands its obligation to find children aged 2.5 years up to 22 years who may have an educational disability. This responsibility is known as child find and is defined in the NH Standards under section Ed 1105.

Child Find 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, Child Find applies to those children attending approved, non-public (private) schools within the geographic boundaries of the District.

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 effecting a smooth and timely transition and implementing an Individual Education Program or Individual Family Support Plan by the child's third birthday.

The District child find program includes, at a minimum, the following processes.

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 role and responsibilities, and the means by which he/she might be reached for further information or referral.

- 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 responsibility to identify and evaluate all students suspected of having or known to have 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 have 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.

On at least an annual basis, the District provides all parents of children with disabilities information regarding their rights and responsibilities under federal and state special education laws.

The District ensures there are continuing efforts related to cultural competence in relation to public awareness and Child Find activities, such as the ability to communicate with and relate to parents and families in ways considerate of individual racial, ethnic, and/or cultural backgrounds.

Referral Process

1. The District has established referral procedures, which ensure that all children 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 6, Pupil Evaluation to Placement / Parental Involvement
2. 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 tests or accountability measures;
 - c. Receiving multiple academic and/or behavioral warnings or suspensions/expulsions from a child care or after school program;
 - d. Repeatedly failing one or more subjects;
 - e. Inability to progress or participate in developmentally appropriate preschool activities; and
 - f. Receiving services from family centered early supports and services.
3. The District ensures that all referrals from parents and others who suspect or know a child with a disability are forwarded to the special education evaluation team. The District provides the parents with a written notice of any referral other than a referral initiated by the parent.

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

In accordance with Ed 1105.04(a) the District has developed 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 District ensures that an IEP is developed and implemented on/before the child's third birthday.

The District coordinates with area agencies and Family Centered Early 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. These procedures may be found below under **PARTICIPATION WITH OTHER AGENCIES**.

In accordance with Ed 1105.04 (b) the transition process in Ed 1105.04(a) includes a written interagency agreement between the District 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. These procedures may be found below under **PARTICIPATION WITH OTHER AGENCIES**.

PARTICIPATION WITH OTHER AGENCIES [Ed 1126.01(b)(10)]

It is the practice of the Hollis, Brookline and Hollis Brookline Cooperative School Districts to coordinate its efforts with other local and state agencies whenever possible, in order to meet the needs of children with disabilities and their families.

The District shall work cooperatively with all social service or other agencies within the surrounding area that provide medical, mental health, welfare, and other human services. Formal relationships with agencies are typically established through the Assistant Superintendent of Student Services.

The Assistant Superintendent of Student Services shall contact all public and private agencies to explain the District's obligation to identify and evaluate all children suspected of being a child with a disability. Further, public and private agencies shall be notified of the process for their participation in the District's special education procedures as detailed in above in this section.

Children Placed in Homes for Children, Health Care Facilities, or State Institutions

The District shall assure the provision of a free, appropriate public education to children with or who might have disabilities that are in residential placement or placements awaiting disposition of the courts and committed juvenile students with or who might have disabilities to the extent that such students are not covered under Ed. 1126. The District shall assure compliance with all regulations and procedures established under the NH Rules – Ed 1105.03 and Ed 1117.

Transition of Children from Part C to Preschool Programs

Children participating in Family Centered Early Supports and Services (ESS) and who will participate in preschool special education shall experience a smooth and effective transition to those programs.

The District shall participate in transition planning conferences arranged by representatives of ESS. An IEP will be developed and will be in effect for eligible children by their third birthday.

The transition process must include a written interagency agreement (Memorandum of Understanding) between the District and the local area agency responsible for family centered supports and services in the community.

A copy of the interagency agreement is periodically updated. The most recent one as of July 2025 may be found here: [Greater Nashua Area Interagency Agreement](#)

Confidentiality

All data and information collected and used under this section, Child Find, are subject to confidentiality requirements as described in the next section, **Section 2 Confidentiality**.

Section 2. CONFIDENTIALITY [Ed 1126.01 (b)(2); Ed 1119]

SAU 41 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 implementation of regulations in 34 CFR Part 99 and the IDEA 2004; 34 CFR 300.610-627.

The District's Plan includes the following procedures:

Annual Notice

The LEA must provide notice to both the parent and the student.

The LEA shall annually provide parents information about their rights under state and federal law.

Notice includes the following:

1. a description of the extent that the notice is given in the native languages of the various population groups residing in the SAU/Districts.
2. a description of the children for whom personally identifiable information is maintained, the types of information sought, the methods the SAU/District intends to use in gathering information (including the sources from whom information is gathered), and how the information will be used.
3. a summary of the policies and procedures that participating agencies must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and
4. a description of all of the rights of parents, and children regarding this information, including the rights under the Family Educational Rights and Privacy Act of 1974 (FERPA) and IDEA and its regulations.

Before any major identification, location, or evaluation activity, the notice is published or announced in the newspaper and/or on school websites, with circulation adequate enough to notify parents of the SAU/District of the activity.

Employee Access

Each school in SAU 41 maintains a current (annually updated) list of the names and positions of those employees within the school who may have access to personally identifiable information.

Parent Access

This Plan includes the parent's right to inspect and review special education records. Pursuant to RSA 189:66(IV)(a), the right to inspect and review the student's education records within 14 days after the day the school receives the request for access.

The District permits parents to inspect and review any education records collected, maintained, or used by the District under 34 CFR Part 300 that relate to their child. The District will comply with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing pursuant to IDEA and its regulations and in no case more than 14 days after the request has been made.

The right to inspect and review education records under this section includes:

1. the right to a response from the District to reasonable requests for explanations and interpretations of the records;
2. the right to request that the District provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
3. the right to have a representative of the parent inspect and review the records.

The District presumes that the parent has authority to inspect and review records relating to his or her child unless the District has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

Records Containing Information Regarding More Than One Child

If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their own child or to be informed of only the information relating to their child.

Record of Access

The LEA must keep 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).

The District keeps a record of parties obtaining access to education records collected, maintained, or used under Part B of IDEA (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

List of Types and Location of Records

The LEA shall list the types and locations of information.

The District provides parents, upon their request, a list of the types and locations of education records collected, maintained, or used by the District.

Fees

The LEA shall establish a policy for fees for copying (if applicable).

The District may charge a fee for copies of records that are made for parents under this part if the fee does not effectively prevent the parents from exercising their right to inspect and review those records. The District does not charge a fee to search for or to retrieve information. Per Policy JRA, the respective School Boards adopted the following fee for copies: \$0.15 per page.

Policy JRA:

[JRA - Brookline](#)

[JRA - Coop](#)

[JRA - Hollis](#)

Amending Records

The LEA shall establish procedures for amending records and resolving conflicts over records, including the opportunity for a hearing.

A parent who believes that information in the education records collected, maintained, or used under this part is inaccurate or misleading or violates the privacy or other rights of their child may request this information be amended. The District will determine whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request. If the District decides not to amend the information in accordance with the request, the District will inform the parent of its decision not to amend and will advise the parent of the right to a hearing.

Hearing Procedures

A hearing held under this section is conducted according to the procedures under 34 CFR 99.22.

Opportunity for a Hearing

The District, upon request from the parent, will provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

Result of a Hearing

If, as a result of the hearing, the District decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the District will amend the information accordingly and so inform the parent in writing. If, as a result of the hearing, the District decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the District will inform the parent of the parent's right to place in the records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the District. Any explanation placed in the records of the child under this section

1. is maintained by the District as part of the records of the child as long as the record or contested portion is maintained by the District; and
2. if the records of the child or the contested portion are disclosed by the District to any party, the explanation is also disclosed to the party.

Retention & Destruction of Special Education Records

The LEA shall comply with the state adopted special education retention policy.

The LEA shall develop procedures for destruction of special education records.

The District informs parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide educational services to the child. The information is 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 shall be maintained without time limitation.

The District shall comply with Ed 1119.01(c)(1), which includes RSA 186-C:10-A, with respect to the retention and destruction of special education records:

New Hampshire Rules and Standards for the Education of Children with Disabilities, p. 155

RSA 186-C:10-A Retention of Individual Education Programs – I. Upon a student's graduation from high school, his or her parents may request the local education agency in writing to have the student's records and final

individualized education program destroyed at that time or request that the records be retained until the student's twenty-sixth birthday. The parents may, at any time prior to the student's twenty-sixth birthday, request, in writing, that the records be retained until the student's thirtieth birthday.

II. Absent any request by a student's parents at the time of graduation, the local education agency shall destroy a student's records and final individualized education program within a reasonable time after the student's twenty sixth birthday, provided that all such records be destroyed by the student's thirtieth birthday.

Children's Rights & Transfer of Rights

The LEA shall notify parents of the transfer of their child's rights at the age of majority.

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 District ensures that the rights of privacy afforded to children are consistent with those afforded to parents, taking into consideration the age of the child and type or severity of disability. The age of majority in New Hampshire is eighteen (18) years; thus parental rights regarding educational records in IDEA and FERPA transfer to students at age 18.

Consent for the Release of Personally Identifiable Information

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).

Except for disclosures addressed in 34 CFR Part 300.535(b) for which parental consent is not required by 34 CFR Part 99, parental consent is obtained before personally identifiable information is (1) disclosed to anyone other than officials of participating agencies collecting or using the information under 34 CFR Part 300, subject to this section; or (2) used for any purpose other than meeting a requirement of 34 CFR Part 300. The District will not release information from education records to participating agencies without parental consent unless authorized to do so under 34 CFR Part 99.

Training

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). All persons collecting or using personally

identifiable information sign a FERPA confidentiality agreement through the SAU 41 human resources office.

The District protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. All persons collecting or using personally identifiable information will receive training or instruction regarding IDEA-B policies and procedures under 34 CFR §300.123 and 34 CFR Part 99, Family Educational Rights and Privacy (FERPA). The District maintains, for public inspection, a current listing of the names and positions of those employees within the District who may have access to personally identifiable information. School employee lists are publicly available on school websites. Employee access to educational records shall comply with FERPA to the extent that an employee has a legitimate educational interest.

FERPA permits an educational agency or institution to disclose, without consent, personally identifiable information from students' education records only to school officials within the educational agency or institution that the educational agency or institution has determined to have legitimate educational interests in the information. 34 CFR § 99.31(a)(1). Generally, a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Questionnaires, Surveys, and Research

Related to confidentiality, Policy ILD applies to all students, those who receive special education and those who do not. Policy ILD may be found in Appendix A or at the links below.

Policy ILD

[ILD - Brookline](#)

[ILD - Coop](#)

[ILD - Hollis](#)

Safeguarding of Personally Identifiable Information [34 CFR 300.623]

The District protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at each district assumes responsibility for ensuring the confidentiality of any personally identifiable information.

Disciplinary Information [Ed 1119.02]

The District includes in the records of a child with a disability a statement of any current or previous disciplinary action that has been taken against the child. Such statements

shall be included in, and transferred with, the disabled child's record to the same extent that the disciplinary information is included in, and transmitted with, the records of students without disabilities. The statement may include a description of any behavior engaged in by the child that required disciplinary action, a description of the disciplinary action taken, and any other information that is relevant to the safety of the child and other individuals involved with the child. If the child transfers from one school to another, the transmission of any of the child's records includes both the child's current individualized education program and any statement of current or previous disciplinary action that has been taken against the child.

The school district employee responsible for ensuring the confidentiality of any personally identifiable information is:

**Lauren DiGennaro
Assistant Superintendent of Student Services**

Section 3. FACILITIES, PERSONNEL & SERVICES [Ed 1126.01 (b)(3)]

The Hollis, Brookline, and Hollis Brookline Cooperative School Districts shall take steps to ensure that children with disabilities have equal access to the variety of educational programs and services available to non-disabled 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 use 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 6 Pupil Evaluation to Placement / Parental Involvement.

The District provides a full range of opportunities, programs and services to meet the unique needs of children with disabilities in the least restrictive environment (LRE). The District ensures 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 provides 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.

Facilities & Location [Ed 1113.11]

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 (LRE).

Physical space for classrooms and other instructional program areas for children with disabilities shall meet the state requirements in Ed 321.10 and Ed 321.11 for physical space for classrooms and other instructional programs for other children enrolled at the school. 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.

A list of approved private special education schools that may be considered for out-of-district placement (for those students whose IEP team determines that OOD placement is necessary for the child to receive FAPE) is maintained in the New

Hampshire Special Education Information System (NHSEIS) by the NHED [Ed 1126.01(b)(3c)]

Personnel Standards [1113.12]

Personnel providing services to children with disabilities in public elementary and secondary schools shall be appropriately and adequately trained such that the requirements of 34 CFR 300.156(c)(1)(i) are satisfied.

Paraprofessional personnel providing services to children with disabilities shall work under the supervision of a certified special education teacher; be supervised and observed by a certified special education teacher under whom they work as often as deemed necessary by the LEA, but no less than once each week; implement a plan designed by the certified educator; monitor the behavior of children with whom they are working; and assist in the provision of special education and related services.

Paraprofessional personnel providing services to children with disabilities shall not design programs; evaluate the effectiveness of programs; assume responsibilities of a teacher or a substitute teacher; or instruct a child with a disability.

The District shall ensure that all special education evaluators are Qualified Examiners in accordance with 1107.04, Table 100.1, which may be found here:

https://gc.nh.gov/rules/state_agencies/ed1100.html

Programs

LEAs must maintain program descriptions including information on the supports and services provided by each program and the age ranges and disabilities of students that program is approved to serve. Program descriptions may be found in Appendix B.

Continuum of Alternative Educational Environments [Ed 1111.02]

Preschool Programs (Ages 3-5)

Children in preschool programs shall be grouped by age levels with a range of not more than three years. Children with disabilities shall be provided with appropriate special education and related services through the District's preschool programs and services.

The maximum number of preschool children in an early childhood special education program shall be 12, regardless of the number of staff members assigned to the program (Ed 1113.10 (c) (7)).

The length of the school year for preschool children with disabilities shall be determined by the IEP team and included in the IEP or IFSP as required by ED 1109.01(a) [1113.14]. See Table 1100.2, below.

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

Preschool Educational Environments	Description
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.

Programs and Services (Ages 6-22)

The District provides educational services to students with disabilities along a continuum of environments including the following shown in Table 1100.3.

Table 1100.3. Continuum of Alternative Educational Environment – Ages 6-22

Educational Environments	Description
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.

The LEA shall provide a standard school year for children ages 6 – 22 as required by RSA 186-C:15, I, RSA 189:1 and RSA 189:24 and Ed 306.18-Ed 306.21 [Ed 1113.14(b)]. The District shall provide a standard school year of at least 180 days or the equivalent number of hours per ED 1113.14. Students with disabilities in need of extended school year programming shall be provided for through the requirements described in-Section 6

Pupil Evaluation to Placement / Parental Involvement. Extended School Year Programming shall not be limited to only the summer months.

When, due to a student's limited physical and/or emotional stamina, the IEP team recommends an abbreviated school day, written consent shall be obtained from the Superintendent of Schools and the parent prior to implementing a shortened school day. If it would cause a serious adverse effect upon a child's educational progress pursuant to RSA 193:1 I(c), the Superintendent shall not excuse a child from the required minimum school day. The District's obligation to provide a free and appropriate public education to a child shall still be in effect even if the child attends school for a shortened school day.

Home Instruction for School-Aged Children with Disabilities (Ed 1111.04)

(a) Home instruction is an alternative placement for children at least 6 years of age but less than 22 years of age in accordance with CFR 300.115.

(b) This section shall not apply to children with disabilities who have been removed from school for violations of a code of student conduct or removals to an interim alternative educational setting as authorized in 34 CFR 300.530(b) through (d) and 300.532(b). Such children shall receive services consistent with Ed 1124; provided that such services, if provided at the child's home, shall consist of: (a) a minimum of 10 hours/week of instruction, including special education as specified in the child's IEP; and (b) related services as specified in the child's IEP.

(c) Home instruction for children at least 6 years of age but less than 22 years of age shall not include parent-designed home instruction programs as authorized in Ed 315.

(d) Pursuant to CFR 300.116, a child's placement is determined at least annually and is based on the child's IEP.

(e) Children who are placed in home instruction should be allowed to participate with nondisabled children to the maximum extent appropriate to the needs of the child, as required by 34 CFR 300.114(a)(2)(i).

(f) Length of the school year and school day for a home instruction placement shall be consistent with RSA 186-C: 15 except as follows:

(1) When the superintendent has excused a student from full-time attendance in accordance with RSA 193:1, I(c) or RSA 193:5, in which case the superintendent and parent shall agree on the number of hours per week of instruction, including special education and related services that the student shall receive.

(2) For children with disabilities ages 18-22, the procedures in Ed 1111.04(e) (1) shall apply as if the child with a disability were under 18 years of age.

Home instruction shall be implemented by personnel qualified in accordance with 1113.12, 34 CFR 300.156, and Section 2122 in the ESEA.

Supervision and Administration

The Superintendent of Schools, the Assistant Superintendent of Students Services, the building Principals, and/or the building-level Special Education Administrators, or Assistant Principal of Student Services (high school only), shall supervise the services and programs provided to students with disabilities.

Diplomas

The Hollis, Brookline, and Hollis Brookline Cooperative Schools shall ensure that each child with a disability is entitled to continue in an approved program until such time as the student has earned a regular high school diploma or has attained the age of 22, whichever occurs first, or until the District determines that the student no longer requires special education in accordance with Section 6 – Pupil Evaluations to Placement / Parent Involvement.

All children with disabilities in the District shall have an equal opportunity to complete a course of studies leading to a regular high school diploma. A regular diploma shall be issued to all students who:

1. successfully achieve the minimum number of 23 credits OR 20 Credit Minimum State Standard Diplomas in accordance with [Co-op Policy IKF](#)
2. meet specific course requirements as described in the Hollis Brookline Cooperative High School Program of Studies [HBHS Program of Studies](#), and
3. Meet all attendance requirements as stated in the Hollis Brookline Cooperative High School Program of Studies (and/or Local District Policy [Co-op Policy JH](#)).

The term “regular high school diploma” does not include an alternative degree that is not fully aligned with the NH School Approval Standards, such as a certificate or a General Educational Development credential (GED). Any student who receives a diploma/certificate other than the District’s regular high school diploma remains eligible to receive a free appropriate public education until he or she reaches age twenty-two or until the IEP Team, through a formal evaluation process, determines that such student is no longer in need of, and thereby not eligible for, special education and related services.

Section 4. PERSONNEL DEVELOPMENT [Ed 1126.01 (b)(4)]

The District has adopted a Professional Growth Master Plan ([Professional Growth Master Plan](#)) to serve as a basic guideline for the operation of its professional development for the **five-year period of July 1, 2022 through June 30, 2027**.

The District shall work to promote a climate that encourages the continuing education and training of all staff within the District. The Professional Growth Master Plan shall advance an educational environment in which students receive a high level of exposure to stimulating teachers, instructional materials, and activities. All teachers, specialists, paraprofessionals, administrators and other IEP team members will have the opportunity for 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.

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.

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.

Section 5. 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.

Special Education Procedural Safeguards Handbook

The Hollis, Brookline and Hollis Brookline Cooperative School Districts will give a copy of the current [NH DOE Special Education Procedural Safeguards Handbook \(December 2024\)](#) to parents, including plain language explanations of parents' procedural rights, at least 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 300.530(h); and
5. Upon request by the parent.

A copy of the current NH DOE Special Education Procedural Safeguards Handbook is included in Appendix G. This document is updated periodically by the NH DOE and is usually accessible here: [NH DOE Laws/Rules/Policies](#)

The Districts ensure that the parents of children with disabilities are afforded all of the rights and procedural safeguards contained in federal law and described in Ed 1120.01 - 1120.08 of the [NH Standards for the Education of Children with Disabilities](#), including but not limited to:

- receiving written prior notice of any action regarding their child which the District proposes or refuses;
- granting or refusing consent for any District action regarding their child;
- obtaining an independent educational evaluation;
- appealing specific proposals of the District regarding their child, and
- filing a complaint

All of the rights and guarantees included under procedural safeguards shall apply to parents, adult students, and public agencies, which include school districts. These rights shall be transferred to children with disabilities who are emancipated minors or who have attained the age of 18 years and have not been adjudicated as incompetent by a court.

A parent, as defined in Ed 1102.04(h), or an adult student may authorize an individual to act on their behalf pursuant to a duly executed power of attorney [Ed 1120.01(c)]

Filing Complaints

Individuals or organizations may report alleged violations of a public agency which are contrary to the provisions of state and federal requirements regarding the education of children with disabilities by filing a complaint. A complaint shall be filed according to Ed 1121.

Low-Cost or Free Legal and Other Relevant Services in New Hampshire

Disabilities Rights Center, Inc.

P.O. Box 3660

64 North Main Street, Suite 2,
3rd Floor, Concord, NH 03301-4913

Office 603-228-0432; Toll Free 1-800-834-1721; Fax 603-225-2077

<https://drcnh.org/>

New Hampshire Legal Assistance - Administration Office

117 North State Street

Concord, NH 03301

603-224-4107

<https://www.nhla.org/contact-us>

New Hampshire Judicial Branch

1 Granite Place, Suite N400

Concord, NH 03301

1-855-212-1234

<https://www.courts.nh.gov/self-help/getting-started/legal-assistance>

Parent Information Center

54 Old Suncook Road

Concord, NH 03301

603.224.7005

1-800-947-7005 (NH Only); 603-224-4365 Fax

<https://picnh.org/>

New Hampshire Department of Education

25 Hall Street

Concord, NH 03301-3860

(603) 271-3494; TDD Access: Relay NH 1-800-735-2964

info@doe.nh.gov

- **Appeals & Mediation**
<https://www.education.nh.gov/parents-and-students/appeals-and-mediation>
- **IEP Meeting Facilitation**
<https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-student-support/special-education/services>

Section 6. PUPIL EVALUATION TO PLACEMENT / PARENT INVOLVEMENT

PUPIL EVALUATION TO PLACEMENT [Ed 1126.01 (b)(8)]

The District's procedures include a **PUPIL EVALUATION TO PLACEMENT** process. This section describes the LEA's procedures for referral, evaluation, development of IEPs, and placement for children with disabilities.

The Hollis, Brookline, and Hollis Brookline Cooperative School Districts 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 are made to keep parents well informed within the context of a collaborative team process (see **PARENT INVOLVEMENT** section below).

Required Procedures

The Hollis, Brookline, and Hollis Brookline Cooperative School Districts follow the Special Education Process sequence as outlined below:

- a) Referral
- b) Evaluation
- c) Determination of eligibility
- d) Development and approval of IEP;
- e) Placement
- f) Ongoing monitoring of the IEP; and
- g) Annual review of the IEP

Referral [Ed 1106]

The LEA shall develop a referral process for special education. The process shall comply with the requirements in Ed 1106.

Any student aged 2.5 years up to age 22 years suspected of having a disability may be referred to the District by parents, District personnel, or any other concerned party. A child's parents may also contact their child's teacher(s) or other school professional to request an evaluation. This request may be verbal or in writing; however, parents will be asked to place their request in writing and submit it to the building principal (or designee). Assistance in completing this written request shall be available to parents upon request.

Upon receipt of a referral from someone other than a parent, and prior to the evaluation of a child suspected of being a child with a disability, the District shall immediately send written notification of the referral to the parent. Procedural Safeguards will be included with the parent notification.

A meeting will be scheduled and held within 15 business days of receipt of the referral to review the referral and determine the appropriate course of action. At a minimum, the following people shall be invited to be part of the referral team:

- One or both of the student's parents, guardian, and/or surrogate parent
- A representative of the School District other than the student's teacher who is qualified to provide or supervise the provision of special education services
- Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)
- Not less than one special education teacher or, when appropriate, not less than one special education provider of the child
- The student (if on the age of majority) and where otherwise appropriate
- Other individuals at the discretion of the parent or School District who have knowledge or expertise regarding the child

This District representative shall be qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities, knowledgeable about the general curriculum, and knowledgeable about the availability of District resources.

The team will review concerns raised in the referral and decide which of the following actions should occur.

1. **Determination that student is not suspected to be a child with a disability**
 - a. The IEP team considers information available, including parent concerns, and determines that no evaluation is needed.
 - b. The IEP team may recommend intervention strategies to be used in the regular class or other District options (*SAT Team; 504 Team, etc*).
 - c. The IEP team shall document its decision in meeting notes and Written Prior Notice.
2. **Determination that child may be a child with a disability**
 - a. The IEP team considers information available, including parent concerns, and determines that further evaluation is needed to address concerns and determine if the child is eligible for special education and related services.
 - b. The IEP team may request additional information from outside sources. Parents will be asked to provide written consent for the District to obtain this information.
 - c. The IEP team shall document its decision(s) in meeting notes and Written Prior Notice, and request written parental consent for evaluation.

In either situation, if the child's parent disagrees with the team's disposition of the referral, the parent or District may activate the due process procedures (described in Appendix G). The District shall comply with federal and state law and regulations when accepting referrals and transitioning children from early supports and services programs to preschool programs.

Evaluation [Ed 1107]

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; and
- 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.

The District shall comply with state and federal laws and regulations relative to initial evaluations, evaluation procedures [34 CFR 300.304] and re-evaluations [34 CFR 300.305], including the additional procedures required for evaluating children with specific learning disabilities [34 CFR 300.307; Ed 1107.02].

Written parental consent is required in order for the District to conduct evaluations as a part of an eligibility determination. If a parent refuses consent to a proposal included in Ed 1120.04(a)(1) or (a)(6), pertaining to initial evaluations and reevaluations, respectively, the LEA shall have the authority to pursue the initial evaluation or re-evaluation by the initiation of a due process hearing under Ed 1123 [Ed 1120.05(c)].

The District shall ensure that evaluation materials and instructions are presented in the child's native language or other mode of communication and in the form most likely to yield information on what the child knows, and can do academically, developmentally and functionally, unless it is clearly not feasible. Standardized tests and materials in the child's native language shall be used whenever possible. If it is not possible to administer a test in this manner, the test will not be used.

Review of Educational History. The child's educational history shall be reviewed, including identification of the child's past opportunities to have acquired important skills and information. If, after conducting a review of the child's educational history, the team determines that additional information is necessary, a full and individual evaluation is provided to determine if the child is a "child with a disability" and to determine the educational needs of the child. The IEP team plans initial evaluations and re-evaluations, and parents are active participants in the evaluation planning process. Evaluations administered will be based on the suspected area(s) of disability and in accordance with the [NH Standards for the Education of Children with Disabilities](#).

Assessment Completion Timelines. The District shall complete all initial evaluation processes and re-evaluation processes within 60 calendar days of receipt of written parental consent. For reevaluations only, the 60-day timeline may be extended up to 30 days by mutual agreement of both the parents and the District.

Additional Requirements for Specific Learning Disabilities. Additional evaluation procedures are required when assessing for specific learning disabilities (SLD) [Ed. 1107.02].

(a) For purposes of evaluating whether a child has a specific learning disability one or more of the following criteria shall be used:

- (1) A discrepancy model between intellectual skills and achievements;
- (2) A process that determines if the child responds to scientific, research-based intervention as part of the evaluation procedures described in 34 CFR 300.307 (a)(2); and
- (3) Other alternative research-based procedures as described in 34 CFR 300.307(a)(3),

(b) Each district shall adopt a policy describing the evaluation procedures and standards that will be used to evaluate whether a child has a specific learning disability.

Please see [34 CFR 300.307](#).

Each district in SAU 41 has a policy for the process of evaluating and identifying SLD. These may be found at the following links to policy IHBAA:

IHBAA:

- [Hollis](#)
- [Brookline](#)
- [Hollis Brookline Cooperative](#)

As part of the evaluation process in the case of suspected SLD, the assessments required are listed in Table 1100.1 of the [NH Standards for the Education of Children with Disabilities](#). When a child is suspected of having a specific learning disability, the District shall comply with the additional evaluation requirements for this disability category.

Qualified Examiners. The District shall ensure that all evaluators meet criteria as qualified examiners according to the [NH Standards for the Education of Children with Disabilities](#), Table 1100.1 (pp. 75-78). Examiners shall be responsible for selecting assessment tools that are current, reliable, and valid. The District shall routinely update

test materials to the most current editions as new editions of tests are published. Examiners are expected to use all test materials for their intended purpose.

Ed 1107.04 requires that formal diagnostic assessments be administered by qualified examiners; qualified examiners for specific disabilities are as set forth in Table 1100.1; qualified examiners shall administer and interpret test results and provide written reports to the LEA; the LEA shall provide parents with copies of each examiner's evaluation and assessment report(s) at least 5 days prior to the meeting of the IEP team at which the evaluation and assessment report(s) will be discussed (parents reserve the right to waive, in writing, the 5-day report preview). As of October 10, 2024, "Districts will be able to send written notice and special education records by electronic mail, unless the parent elects to receive documents via U.S. mail" (Bureau of Special Education Support FY '25 Memo #16).

Evaluation Reports. The IEP team determining the child's disabilities shall develop a written summary (Evaluation Summary Form) containing the results of the various diagnostic findings and forward a copy of the report to the parent and a copy to the LEA for the child's records. The report shall be written after the child's initial evaluation and thereafter if the public agency and the parent, consistent with 34 CFR 300.303, determine that a reevaluation will be conducted. The report shall include, but not be limited to: the results of each evaluation procedure, test, record, or report; a written summary of the findings of the procedure, test, record, or report; and information regarding the parent's rights of appeal in accordance with Ed 1123 and a description of the parent's right to an independent evaluation in accordance with Ed 1107.03.

Independent Educational Evaluations. The expense incurred in any LEA evaluation procedure recommended by the IEP team shall not be the financial obligation of the parent but shall be the responsibility of the LEA or other financial resources such as, but not limited to, another public agency or Medicaid. The LEA shall comply with [34 CFR 300.502](#), relative to independent educational evaluation. The agency criteria determined by the LEA, as described in 34 CFR 300.502(a)(2) and 300.502(e), to the extent that they exceed qualified examiner criteria or establish geographic limitations, shall not be so restrictive that the parent does not have a choice of independent evaluators [Ed 1107.03].

Eligibility Determination [Ed 1108]

SAU 41 shall comply with 34 CFR 300.301-311 relative to determination of eligibility for special education. For determination of eligibility for special education, the composition of the IEP team described in [34 CFR 300.306](#) shall be the IEP team.

In interpreting evaluation data for the purpose of determining if a child is a child with a disability and the educational needs of the child, the District draws upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the child's physical condition, social or cultural background, and adaptive behavior; and ensures that information obtained from all of these sources is documented and carefully considered.

All educational disability categories require the IEP team to consider whether the cause of a student's underachievement is lack of appropriate instruction in reading or math, or whether the cause is limited English proficiency.

Specific Learning Disability. For eligibility determination with respect to specific learning disability, [34 CFR 300.309](#) states that the IEP team may determine that a child has a specific learning disability if the child does not achieve adequately for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or State-approved grade-level standards in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, mathematics problem solving; and the child does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the areas identified above when using a process based on the child's response to scientific, research-based intervention; or the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the IEP team to be relevant to the identification of a specific learning disability, using appropriate assessments; and if the IEP team determines that its findings of underachievement are not primarily the result of a visual, hearing, or motor disability; an intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency.

To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation, data that demonstrate that prior to, or as a part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

The District uses an SLD eligibility determination form that enables IEP teams to review all qualifying and disqualifying criteria relative to SLD when making determinations. For SLD, each IEP team member must sign the form to indicate agreement or disagreement with the conclusions of the team.

Students from Other Districts. If a child with a disability moves into the District from another NH District, the child's disability identification will be honored without delay.

If a child moves into the District from another state, an IEP team meeting will be convened as soon as possible to review the types of evaluations that have previously been conducted and to plan any further evaluations necessary to determine eligibility in accordance with the [NH Standards for the Education of Children with Disabilities](#). If evaluations are not sufficient or current, further evaluations will be conducted as per team agreement. Formal eligibility as a child with a disability, as defined in the [NH Standards for the Education of Children with Disabilities](#), shall be determined within 60

calendar days of receipt of parental permission to evaluate. The student will receive special services in accordance with the out-of-state IEP during this interim period.

Individualized Education Program [Ed 1109]

The LEA shall develop and implement procedures regarding the development of IEPs and comply with the requirements in Ed 1109 and include:

- elements of an IEP;
- transportation;
- when an IEP is in effect, IEP meetings, development, review and revision of an IEP;
- transition services;
- copies of the IEP and evidence of Implementation;
- IEPs for children placed in private providers of special education or other non-LEA programs by public agencies; and
- monitoring and annual review of IEPs.

Elements of an IEP. The District shall comply with Ed 1109.01(a), which encompasses the IEP elements listed in [34 CFR 300.320](#), which are as follows:

(a) *General.* As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§ 300.320 through 300.324, and that must include—

1) A statement of the child's present levels of academic achievement and functional performance, including (i) How the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or (ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;

(2) (i) A statement of measurable annual goals, including academic and functional goals designed to (A) 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; and (B) Meet each of the child's other educational needs that result from the child's disability; (ii) For children with disabilities who take alternate assessments aligned to alternate academic achievement standards, a description of benchmarks or short-term objectives;

(3) A description of (i) How the child's progress toward meeting the annual goals described in paragraph (2) of this section will be measured; and (ii) When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;

(4) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child (i) To advance appropriately toward attaining the annual goals; (ii) To be involved in and make progress in the general education curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and (iii) To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section;

(5) 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 paragraph (a)(4) of this section;

(6) (i) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments consistent with section 612(a)(16) of the Act; and (ii) If the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement, a statement of why (A) The child cannot participate in the regular assessment; and (B) The particular alternate assessment selected is appropriate for the child; and

(7) The projected date for the beginning of the services and modifications described in paragraph (a)(4) of this section, and the anticipated frequency, location, and duration of those services and modifications.

(b) *Transition services.* Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include—

(1) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and

(2) The transition services (including courses of study) needed to assist the child in reaching those goals.

(c) *Transfer of rights at age of majority.* Beginning not later than one year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child's rights under Part B of the Act, if any, that will transfer to the child on reaching the age of majority under § 300.520.

In addition to the above, Ed 1109.01 adds to/reiterates/expands upon the elements of an IEP as follows:

- (1) The length of the school year and the school day required to implement the IEP;
- (2) The types of service providers who would be responsible for implementing the IEP or the names of those providers;
- (3) A statement identifying the party or parties assuming the financial responsibility for the implementation of the IEP;
- (4) The signature of the parent or, where appropriate, student, and representative of the LEA stating approval of the provisions in the IEP;
- (5) Short-term objectives or benchmarks for all children unless the parent determines them unnecessary for all or some of the child's annual goals;
- (6) Short-term objectives or benchmarks for all children who take alternate assessment based on alternate achievement standards;
- (7) A statement of how the child's progress toward meeting the annual goals shall be provided to the parents;
- (8) A statement of how the child's progress toward meeting the annual goals will be measured and whether progress is sufficient to achieve the annual goals by the end of the school year; and
- (9) A statement of transition services that meets the requirements of 34 CFR 300.43 and 34 CFR 300.320(b), with the exception that a plan for each student with a disability beginning at age 14 or younger, if determined appropriate by the IEP team, shall include 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, vocational education, or career and technical education.

The District writes its IEPs through the NH Special Education Information System (NHSEIS), which frames much of the required IEP content for its users.

Transportation. The District shall comply with Ed 1109.02 in that all vehicles used to transport children with disabilities provided by, or on behalf of a school district, shall be maintained in safe working order and be inspected and licensed according to the New Hampshire department of safety rules as provided in Saf-C 1307 and RSA 266:7.

When an IEP is in Effect, IEP Meetings, Development, Review and Revision of an IEP. Ed 119.03(a)(b) requires the District to have all IEPs in effect in accordance with [34 CFR 300.323](#), which states the following:

- (a) *General.* At the beginning of each school year, each public agency must have in effect, for each child with a disability within its jurisdiction, an IEP, as defined in § 300.320.

(b) *IEP or IFSP for children aged three through five.* (1) In the case of a child with a disability aged three through five (or, at the discretion of the SEA, a two-year-old child with a disability who will turn age three during the school year), the IEP Team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in section 636(d) of the Act and its implementing regulations (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with IFSPs under this section who are at least three years of age), and that is developed in accordance with the IEP procedures under this part. The IFSP may serve as the IEP of the child, if using the IFSP as the IEP is—

(i) Consistent with State policy; and

(ii) Agreed to by the agency and the child's parents.

(c) *Initial IEPs; provision of services.* Each public agency must ensure that—

(1) A meeting to develop an IEP for a child is conducted within 30 days of a determination that the child needs special education and related services; and

(2) As soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP.

(d) *Accessibility of child's IEP to teachers and others.* Each public agency must ensure that—

(1) The child's IEP is accessible to each regular education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation; and

(2) Each teacher and provider described in paragraph (d)(1) of this section is informed of—

(i) His or her specific responsibilities related to implementing the child's IEP; and

(ii) The specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

(e) *IEPs for children who transfer to public agencies in the same State.* If a child with a disability (who had an IEP that was in effect in a previous public agency in the same State) transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide FAPE to the child (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency either—

(1) Adopts the child's IEP from the previous public agency; or

(2) Develops, adopts, and implements a new IEP that meets the applicable requirements in §§ 300.320 through 300.324.

(f) *IEPs for children who transfer from another State.* If a child with a disability (who had an IEP that was in effect in a previous public agency in another State) transfers to a public agency in a new State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency—

(1) Conducts an evaluation pursuant to §§ 300.304 through 300.306 (if determined to be necessary by the new public agency); and

(2) Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in §§ 300.320 through 300.324.

(g) *Transmittal of records.* To facilitate the transition for a child described in paragraphs (e) and (f) of this section—

(1) The new public agency in which the child enrolls must take reasonable steps to promptly obtain the child's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the child, from the previous public agency in which the child was enrolled, pursuant to 34 CFR 99.31(a)(2); and

(2) The previous public agency in which the child was enrolled must take reasonable steps to promptly respond to the request from the new public agency.

In addition, the District shall comply with Ed 1109.03(c) through (h). For children whose unique educational needs require IEPs which exceed the standard school year, the requirements of Ed 1110.01 shall be followed. The IEP shall be reviewed at least annually and, if necessary, revised. The IEP shall comply with 34 CFR 300.323, specifying when IEPs shall be in effect, including an IEP or IFSP for children with disabilities ages 3 through 5 or for a 2- year-old child with a disability who will turn 3 years of age during the school year. The IEP team shall determine the appropriate length of an IEP, which shall not exceed 12 months without review and approval by the IEP team. The child's educational history shall be reviewed, including identification of the child's past opportunities to have acquired important skills and information. IEP meetings shall be conducted in accordance with 34 CFR 300.324(b). Development, review, and revision of an IEP shall be in accordance with 34 CFR 300.324 and, when appropriate, for children with disabilities who are functionally blind, in accordance with RSA 186-C:7-b.

Transition Services. In addition, the District shall comply with Ed 1109.03(i) through (k). Transition services may be provided by a participating agency other than the LEA consistent with 34 CFR 300.324(c) to ensure there is no interruption in the services detailed in the child's IEP. Transition services, other than those provided by a NH Department of Education approved special education program which the child attends,

shall be monitored by LEA personnel, on no less than a weekly basis. LEAs shall comply with RSA 186-C:9 relative to required special education

Copies of the IEP and Evidence of Implementation. SAU 41 shall comply with Ed. 1109.04, which states that 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-LEA provider responsible for implementing the IEP with a copy of the IEP on or before the first day of the placement.

The LEA shall maintain written evidence documenting implementation of the IEP, including: special education and related services provided; supplementary aids and services provided; programs modifications made; and supports provided for school personnel implementing the IEP. A summary of the child's academic achievement and functional performance (**Summary of Performance form**), including recommendations on how to meet post-secondary goals, shall be provided to the child prior to the child's eligibility termination described in 34 CFR 300.305(e)(2).

IEPs for Children Placed in Private Providers of Special Education or other non-LEA Programs by Public Agencies. The district shall comply with Ed 1109.05, which in turn is compliant with 34 CFR 300.325, which requires the following

(a) *Developing IEPs.*

- (1) Before a public agency places a child with a disability in, or refers a child to, a private school or facility, the agency must initiate and conduct a meeting to develop an IEP for the child in accordance with §§ 300.320 and 300.324.
- (2) The agency must ensure that a representative of the private school or facility attends the meeting. If the representative cannot attend, the agency must use other methods to ensure participation by the private school or facility, including individual or conference telephone calls.

(b) *Reviewing and revising IEPs.*

- (1) After a child with a disability enters a private school or facility, any meetings to review and revise the child's IEP may be initiated and conducted by the private school or facility at the discretion of the public agency.
- (2) If the private school or facility initiates and conducts these meetings, the public agency must ensure that the parents and an agency representative—
 - (i) Are involved in any decision about the child's IEP; and
 - (ii) Agree to any proposed changes in the IEP before those changes are implemented.

(c) *Responsibility.* Even if a private school or facility implements a child's IEP, responsibility for compliance with this part remains with the public agency and the SEA.

Monitoring & Annual Review of IEPs. In accordance with Ed 1109.06, the District shall comply with the following:

(a) The LEA shall develop and implement procedures designed to monitor that all IEPs are implemented. The IEP team may be reconvened at any time to review the provisions of the IEP.

(b) The LEA, upon a written request for an IEP team meeting by the parent, guardian, or adult student shall:

(1) Schedule a mutually agreeable time and date for an IEP team meeting;

(2) Convene the IEP team on the mutually agreeable time and date; or

(3) Provide the parent, guardian, or adult student with written prior notice detailing why the LEA refuses to convene the IEP team that the parent, guardian, or adult student has requested.

(c) All activities detailed in Ed 1109.06(b) shall be completed within 21 days following the receipt of the written request for the IEP team meeting.

(d) The LEA, annually, shall conduct at or near the end of the term of each IEP, a meeting for the purpose of assessing the effectiveness of the present plan and to design an IEP, including extended school year services when appropriate.

Placement [Ed 1111]

SAU 41 shall develop procedures regarding placement for students with disabilities. The procedures shall comply with Ed 1111 and include:

Placement in the Least Restrictive Environment. SAU 41 shall comply with Ed 111.01. Ed 1111.01 requires that 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 severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

A child with a disability shall be admitted to regional vocational, career or technical education center programs on the basis of vocational needs as outlined in the child's IEP and availability of space. However, the LEA shall ensure that any child who requires vocational education and/or career and technology education as part of FAPE shall receive such services as determined by the IEP team in the least restrictive environment.

Placement Decisions. SAU 41 shall comply with Ed 111.03(a), which requires that placement decisions be made in accordance with 34 CFR.116, which states the following:

In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that—

(a) The placement decision—

(1) Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

(2) Is made in conformity with the LRE provisions of this subpart, including §§ 300.114 through 300.118;

(b) The child's placement—

(1) Is determined at least annually;

(2) Is based on the child's IEP; and

(3) Is as close as possible to the child's home;

(c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

(d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and

(e) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

Regarding placement of preschool children, Ed 1111.03(b) states that preschool children with disabilities shall be educated in an educational environment that is appropriate to implement the IEP or IFSP and is the least restrictive environment consistent with 34 CFR 300.116, placements.

Ed 1111.03(c) states that preschool children with disabilities may receive their special education program in any of the environments listed in Table 1100.2 Continuum of Alternative Educational Environments – Ages 3-5.

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

Preschool Educational Environments	Description
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.

Ed 1111.03(d) Children age 6-22 may receive their special education program at any of the environments listed in Table 1100.3 Continuum of Alternative Educational Environments – Ages 6-22.

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

Educational Environments	Description
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.

Note that home instruction is an alternative placement for children at least 6 years of age but less than 22 years of age in accordance with 34 CFR 300.115. This section shall not apply to children with disabilities who have been removed from school for violations of a code of student conduct or removals to an interim alternative educational setting as authorized in 34 CFR 300.530(b) through (d) and 300.532(b). Such children shall

receive services consistent with Ed 1124; provided that such services, if provided at the child's home, shall consist of: (a) a minimum of 10 hours/week of instruction, including special education as specified in the child's IEP; and (b) related services as specified in the child's IEP. Home instruction for children at least 6 years of age but less than 22 years of age shall not include parent-designed home instruction programs as authorized in Ed 315.

PARENT INVOLVEMENT [Ed 1126.01(b)(5)]

A parent involvement component that shall describe the LEA's policies and procedures, specifying the participation of parents in the process of identifying, evaluating, developing IEPs, and determining placement of children with disabilities. The term "parent," means a biological or adoptive parent, surrogate parent or a guardian pursuant to 34 CFR 300.30. The LEA must ensure that parents understand the proceedings of an IEP meeting and provide "informed" consent. LEAs must ensure that relevant special education information is communicated in language that is understandable to the general public and procedural rights are provided in the native language or other mode of communication used by the parent. The LEA must initiate the appointment of a surrogate parent under certain circumstances in accordance with Ed 1115.

The Hollis, Brookline and Hollis Brookline Cooperative School Districts 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 are 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.

Parents shall receive formal notification when their child is referred for special services, except in the case where the parent was the referring party. Procedural Safeguards and information regarding the Special Education Process shall be provided to the parent at this time.

Consistent with 34 CFR 300.501, parent involvement continues in the form of opportunity to examine student records; and the opportunity to participate in meetings, via timely formal notification by the District, that occur throughout the Special Education process (e.g., referral disposition, evaluation, eligibility determination, IEP, placement, and progress meetings).

The District issues parents a written prior notice (WPN) each time the District proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free and appropriate public education to the child; or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free and appropriate public education to the child.

The District shall ensure that the parent or parents of the child with a disability receive a written meeting notice no fewer than 10 days before an IEP meeting. RSA 86-C amends

previous mailing practices to say that "districts are permitted to send documents electronically, such as via e-mail, unless the parent chooses not to."

District special education staff shall take whatever steps necessary to ensure that the parents understand the proceedings at the meeting, including arranging for an interpreter for parents who are deaf or whose native language is other than English.

The District shall provide parents copies of all of their child's written special education documents.

A parent, as defined in Ed 1102.04 (h) or an adult student may authorize an individual to act on their behalf pursuant to a duly executed power of attorney. (Ed 1120.01 (c)).

Prior to accessing a child's public insurance, the District obtains informed parental consent in accordance with Ed 1120.08. If a parent refuses consent, the District will provide the services detailed in the IEP.

For a student considered to be an unaccompanied homeless youth, as defined in the McKinney-Vento Homeless Assistance Act, who is or may be a youth with an educational disability, the District shall immediately enroll the child in school for the purposes of attending classes and participating fully in school activities. The District's local homeless education liaison shall have no more than 30 days from the initial date of school enrollment to appoint a surrogate parent for the unaccompanied homeless youth. Please see Policy JFABD for each of the respective districts regarding homeless students.

[JFABD - Brookline](#)

[JFABD - Coop](#)

[JFABD - Hollis](#)

Section 7. PROGRAM EVALUATION [Ed 1126(b)(9)]

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. The Hollis, Brookline, and Hollis Brookline Cooperative School Districts are committed to providing effective, high quality special education services to all children with disabilities. The District continually evaluates the special education and educationally related services it provides to children with disabilities to ensure that all students' special education needs are met. The following required procedures are included in the plan.

The District determines, at least annually, the degree to which special education and related services being provided for children with disabilities are effectively meeting the students' needs. As part of its evaluation activities, the District also identifies program deficiencies and plans for future needs.

Evaluation of the overall functioning, efficiency and success of the special education programs offered by the District is conducted through a combination of objective and subjective techniques. This process includes an internal monitoring and review component that considers both individual and general program impact, as well as an external review process, which consists of the NH Department of Education Program Approval and Improvement Process.

Required Procedures

Degree to which the special education or special education and related services being provided to children with disabilities are effectively meeting the identified needs of the children with disabilities

Individual Program Impact. The effectiveness of students' Individualized Education Programs is determined through a careful analysis conducted by each child's IEP team. The IEP team monitors each child's progress toward achieving the measurable goals, including post-secondary goals when age appropriate, detailed in the student's IEP. Evaluation measures may include:

- Curriculum based measurement
- Student observation
- Post-testing
- Diagnostic reevaluations
- IEP progress reports
- Report cards
- Parent
- Student movement from more restrictive to less restrictive educational settings
-

Methods the LEA shall use for determining program deficiencies and future needs

General Program Impact. Participation in state and district-wide assessments is part of the statewide accountability system that helps to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education through the New

Hampshire Curriculum. The Hollis, Brookline, and Hollis Brookline Cooperative School Districts ensure that all students with disabilities have the opportunity to participate in state and district-wide assessments with appropriate accommodations as necessary, to show what they know and can do, and how they are progressing, based upon challenging state academic achievement standards.

Student assessment accommodations for the NH Statewide Assessment System (NHSAS) and SAT are determined by IEP teams and are specified in each student's IEP.

- Students in grades 3-8 complete the NHSAS in English language arts (ELA), writing, and math.
- In Grades 5 and 8, NHSAS science is also included.
- In Grade 11, students take the SAT and NHSAS science test.
- Students that are identified by their IEP teams as appropriate for the alternate statewide assessment based upon alternate achievement standards will be included in New Hampshire's Alternate Assessment System of reading, writing, mathematics, and science. Currently, that process is the Dynamic Learning Maps (DLM) process. This process begins each school year in September and ends in April for all participating students through DLM.

In a similar manner, the IEP team determines alternate forms for district-wide assessments to be provided for all eligible students.

Results of group assessments are formally analyzed by District staff to determine trends and patterns that may reflect areas in need of improvement. Instructional decisions are made in accordance with the analysis of assessment results in order to more effectively meet the needs of all students. Alternate assessments are examined in order to reflect on progress, programming needs and potential adjustments that may be needed for students with more significant disabilities.

Strategies designed to eliminate identified gaps and program needs

In addition to the assessment process, the following strategies may be included among those utilized to assess general program effectiveness in the special education department:

- Parent surveys
- General staff surveys
- Special education focus group meetings
- Professional development needs survey

- NH Special Education Information System data
- Other (as determined by the district)

The above information is used to identify program needs, training needs, and existing gaps in services. Systemic changes for the upcoming school year will be considered and planned based on the information gathered. Additionally, the information will be used to plan District professional development activities.

All professional and paraprofessional staff members within the District are evaluated using a predetermined system aimed at professional growth and development. Feedback is provided to all in the form of (*commendations and recommendations; summative evaluation; etc*). In this way, the Hollis, Brookline, and Hollis Brookline Cooperative School Districts ensure that all staff have opportunities to enhance their knowledge and skills in order to effectively meet the needs of all students.

On-site compliance monitoring review of the LEA's special education programs and the LEA's implementation of the IDEA 2004 by the LEA pursuant to the duties assigned by RSA 186-C:5

The findings and recommendations from the external "Special Education Compliance and Improvement Monitoring" process conducted by the NH Department of Education, will be carefully considered and addressed by all members of the Hollis, Brookline and Hollis Brookline Cooperative School Districts and their respective Administrative Teams. Team members/District officials will analyze the final report and implement the necessary activities to ensure full compliance with state and federal laws and regulations. Upon notification from the NH Department of Education regarding areas of non-compliance, all corrective action activities shall be completed as soon as possible, but in no case later than one year

Section 8. CHILDREN WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOLS [Ed 1126.01(b)(11)]

The Hollis, Brookline, and Hollis Brookline Cooperative School Districts have established procedures 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 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). Please see **Section 1. CHILD FIND PROCEDURES / PARTICIPATION WITH OTHER AGENCIES** for more detailed information on the child find process.

In accordance with the New Hampshire Education Rules, children who are receiving home education shall not be considered to be children attending a private school.

Required Procedures

Written Affirmation of Timely & Meaningful Consultation

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 responsibility to identify and evaluate all students suspected of having or known to have 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.

Annually, the District consults with representatives of private schools and representatives of parentally placed students to decide:

1. how parentally placed private school children will participate equitably; and
2. how parents, teachers, and private school officials will be informed of the District's year-round child find activities.

All child find activities conducted for children enrolled in private schools by their parents are similar to those activities conducted for children who attend public schools within the District.

The District maintains records and reports, annually, to the NH Department of Education the number of private school students evaluated, the number of children determined to

be children with disabilities, and the number of parentally placed private school children with disabilities who are served.

A **Notice to Parents of Private School Children** is distributed to local newspapers/media outlets for publication, as well as posted at each private school located within the boundaries of the District each year. This notice fulfills the District's obligation to invite representatives of parents of the children with disabilities who are enrolled in the school to the consultation meeting.

The District conducts timely and meaningful consultation with representatives of private schools and representatives of parents of parentally placed private school children with disabilities in order to design and develop special education and related services for eligible children who attend private schools within the District. The consultation process operates throughout the school year to ensure that parentally placed children have the opportunity to meaningfully participate in special education and related services.

Through the consultation process, the District decides:

1. which children will be served,
2. what services will be provided,
3. how and where the services will be provided, and
4. how the services will be evaluated.

The District documents these decisions on the **Affirmation of Consultation** form. The completed form is sent to each private school providing and rationale of the District's decisions.

Development & Implementation of a Services Plan

Services to parentally placed private school children are provided by personnel meeting the same standards as those required in the District. Eligible children have no individual right to services and may receive different amounts of services than those provided to students in the public schools. An Individual Service Plan (ISP) will be developed for each child eligible to receive services.

Private elementary and secondary school teachers who are providing equitable services to parentally placed private school children with disabilities do not have to meet the special education teacher requirements in 34 CFR 300.156(c).

IDEA grant monies may be applied toward these procedures and any unexpended allocated funds, must be carried over for one year.

Maintenance of Records

The records of children with disabilities enrolled by their parents in non-profit, private schools located within the jurisdiction of the SAU 41 are maintained at that SAU 41 administrative office by the Assistant Superintendent of Special Services. The records include:

- the number of children evaluated;
- the number of children determined to be children with disabilities; and
- the number of children served.

Section 9. INSTRUCTIONAL MATERIALS IN ACCESSIBLE FORMAT [Ed 1126.01(b)(12)]

The Hollis, Brookline and Hollis Brookline Cooperative School Districts ensure that children with disabilities who need instructional materials in accessible formats will receive those materials, as set forth in their IEP's or dictated by their disabilities, at the same time other non-disabled children receive their instructional materials.

Accessible Instructional Materials

Examples of accessible instructional materials may include, but are not limited to, Braille texts, audio books, speech-to-text applications, enlarged print, specialized software, etc.

To ensure that all students with disabilities who require instructional materials in accessible formats receive them at the same time as their non-disabled peers, in accordance with IDEA and Section 504.

Identification of Need

- During the IEP or 504 plan process, the team will determine whether a student requires instructional materials in an alternative or accessible format (e.g., large print, braille, digital text, or audio).
- The need will be documented in the IEP or 504 Plan under "Special Factors" and in the accommodations/modifications section.

Timely Acquisition of Materials

- Upon identification of the need for accessible materials, the Special Education Administrator and case manager or designated special education staff will immediately work on procurement or creation of the materials through appropriate resources.
- Procurement will begin as soon as textbook/adopted curriculum orders are placed for all students, ensuring simultaneous access.

Classroom Teacher and Provider Responsibilities

- All general and special education teachers, related service providers, and instructional staff are responsible for:
 - Reviewing student IEP/504 plans to understand required accommodations.
 - Providing or adapting classroom materials into accessible formats as required (e.g., adjusting font size, providing digital versions).
 - Collaborating with special education staff to ensure proper delivery of content.
 - Requesting assistance from the Special Education Coordinator when unsure how to modify or obtain accessible materials.

- Staff must ensure:
 - All classroom handouts, assignments, assessments, and supplemental materials are accessible at the time they are assigned.
 - Digital content is screen-reader compatible and follows accessibility guidelines.

Monitoring and Compliance

- The case manager will:
 - Monitor the delivery and use of accessible materials.
 - Address any delays in coordination with the Special Education Administrator.
 - Document and communicate any needed changes to materials or formats.
- The Special Education Administrator will:
 - Conduct check-ins to ensure compliance with these procedures.
 - Participate in classroom walkthroughs and instructional audits as needed.

The LEA will review these procedures annually and revise them as needed based on staff feedback, parent or student concerns, and updates in legal requirements or best practices

In addition, appropriate instructional materials shall include assistive technology and related equipment, such as assistive technology devices and assistive technology services as required by IEP.

APPENDICES

**APPENDIX A
SCHOOL DISTRICT POLICIES**

JRA: Student Records and Access

[Hollis](#)
[Brookline](#)
[Hollis Brookline Cooperative](#)

ILD: Educational Questionnaires, Surveys, and Research

[Hollis](#)
[Brookline](#)
[Hollis Brookline Cooperative](#)

AC: Non-discrimination

[Hollis](#)
[Brookline](#)
[Hollis Brookline Cooperative](#)

ACE: Non-discrimination

[Hollis](#)
[Brookline](#)
[Hollis Brookline Cooperative](#)

IKF: Graduation

[Hollis Brookline Cooperative](#)

JH: Attendance

[Hollis Brookline Cooperative](#)

IHBA: FAPE

[Hollis](#)
[Brookline](#)
[Hollis Brookline Cooperative](#)

IHBAA: Specific Learning Disability Determination

[Hollis](#)
[Brookline](#)
[Hollis Brookline Cooperative](#)

IHBAB: Special Education Evaluations

[Brookline](#)

JFABD: Children & Youth in Transition / Homelessness

[Hollis](#)
[Brookline](#)

[Hollis Brookline Cooperative](#)

JIC: Student Conduct

[Hollis](#)
[Brookline](#)

JICD: Student Discipline & Due Process

[Brookline](#)
[Hollis](#)

JICD: Student Conduct, Discipline, & Due Process

[Hollis Brookline Cooperative](#)

JLDBAA: Behavior Management & Intervention

[Brookline](#)

JLDBA: Behavior Management & Intervention

[Hollis](#)
[Hollis Brookline Cooperative](#)

APPENDIX B PROGRAM DESCRIPTIONS

SAU 41 STUDENT SERVICES PROGRAMS APPROVED SPECIAL EDUCATION PROGRAMS

The lists below includes programs which have been approved by the NH Department of Education Bureau of Special Education as Alternative Learning Settings. After an IEP meeting where program placement is discussed, parents will receive notification through a Written Prior Notice and provide consent to placement in one of these programs as part of the IEP team process.

HOLLIS

Hollis Primary School - Preschool

Regular Early Childhood
Preschool Program

Hollis Early Learning
Program (HELP)

Hollis Primary School – K-3

Primary Special Needs

Regular Class

Resource Room I

Hollis Upper Elementary

Regular Class

Resource Room

Self-Contained Grades 4-6

Regular Early Childhood Preschool Program: A preschool child with a disability attends an early childhood program. The early childhood program required a ratio of non-disabled peers of 51% of the population. Students are able to receive related services and specialized instruction as defined by their Individualized Education program.

HELP (Hollis Early Learning Program): A preschool child with a disability attends a special education self-contained preschool program. This program supports students with a high focus of intensive instructional supports and specialized instruction and related services which with targeted special education supports. This program does not have access to general education peers during instructional time.

Primary Special Needs and Self-Contained Grades 4-6: A child with a disability attends a self-contained special class. The student may access this program for more than 60 percent of their instructional day and requires substantial specialized instructional and related services requiring the student to have a more restrictive setting to make meaningful progress.

Regular Class: A child with a disability attends the general educational classroom with supports and services required by the IEP.

Resource Room I: A child with a disability attends a regular class and receives assistance at or through the resource room program. The student continues to receive access to the general curriculum in the general education classroom with supports and services defined in the IEP, and requires specialized instruction in a separate setting for no more than 60% of the child's instructional day.

BROOKLINE

**Richard Maghakian
Memorial School -
Preschool**

Regular Early Childhood
Preschool Program

Brookline Early Childhood
Special Education
Program

**Richard Maghakian
Memorial School – K-3**

STEP K-3 Self Contained

STEP K-3 Resource Room

Regular Class

Resource Room Program

**Captain Samuel
Douglass Academy**

STEP Grades 4-6 Self
Contained

STEP Grades 4-6
Resource Room

Regular Class

Resource Room

IMPACT Resource Room

Regular Early Childhood Preschool Program: A preschool child with a disability attends an early childhood program. The early childhood program required a ratio of non-disabled peers of 51% of the population. Students are able to receive related services and specialized instruction as defined by their Individualized Education program.

Brookline Early Childhood Special Education Program: A preschool child with a disability attends a special education self-contained preschool program. This program supports students with a high focus of intensive instructional supports and specialized instruction and related services which with targeted special education supports. This program does not have access to general education peers during instructional time.

STEP K-3 Self-Contained and STEP Grades 4-6 Self-Contained: A child with a disability attends a specialized program based on individualized needs as determined by the IEP team. The student may access this program for more than 60 percent of their instructional day and requires substantial specialized instructional and related services requiring the student to have a more restrictive setting to make meaningful progress.

STEP K-3 Resource Room and STEP Grades 4-6 Resource Room: A child with a disability attends a specialized program based on individualized needs as determined by the IEP team. The student may access this program for no more than 60 percent of their instructional day and requires the program’s methodology and substantial specialized instructional and related services to make meaningful progress.

Regular Class: A child with a disability attends the general educational classroom with supports and services required by the IEP.

Resource Room Program/IMPACT Resource Room: A child with a disability attends a regular class and receives assistance at or through the resource room program or IMPACT Resource Room program. The student continues to receive access to the general curriculum in the general education classroom with supports and services defined in the IEP, and requires specialized instruction in a separate setting for no more than 60% of the child’s instructional day. The IMPACT Resource Room is a program that utilizes specialized methodologies and supports for students based on their individualized needs as determined by the IEP team.

HOLLIS BROOKLINE COOPERATIVE

Hollis Brookline Middle School

Pathways
Resource Room I
Regular Class
Self-Contained

Hollis Brookline High School

Life Skills Program
Life Skills 2 Self-Contained
Regular Class
Resource Room
Self-Contained

Regular Class: A child with a disability attends the general educational classroom with supports and services required by the IEP.

Resource Room: A child with a disability attends a regular class and receives assistance at or through the resource room program. The student continues to receive access to the general curriculum in the general education classroom with supports and services defined in the IEP, however requires specialized instruction in a separate setting for up to 40 percent of the instructional school day.

Self-Contained: A child with a disability attends a self-contained special class. The student may access this program for more than 60 percent of their instructional day and may require substantial specialized instructional and related services requiring the student to have a more restrictive setting to make meaningful progress.

Pathways and Life Skills Program: A child with a disability attends a specialized program based on individualized needs as determined by the IEP team. The student may access this program for less than 60 percent of their instructional day and requires the program's methodology and substantial specialized instructional and related services to make meaningful progress. Included are Activities of Daily Living, Transition Goals, and Academic Specialized Instruction.

Life Skills 2 Program: A student with a disability attends a special education self-contained life skills program. The student may access this program for more than 60 percent of their instructional day and this program supports students with a high focus of intensive instructional supports and specialized instruction and related services. Students are targeting Activities of Daily Living, Transition Goals, and Academic Specialized Instruction.

*Students in the Life skills program are able to access a Regular Education Diploma if the high school credit requirements are met.

APPENDIX C
Master Plan for Professional Development

[Professional Growth Master Plan](#)

APPENDIX D FORMS

General Meeting Forms

[Parent Meeting Invitation](#)
[Student Meeting Invitation](#)
[Combined Meeting Invitation](#)
[Parental Permission to Waive Timelines](#)
[Team Member Excusal](#)
[Record of Team Meeting](#)
[Written Prior Notice](#)
[Parental Response](#)
[Alternative Communication Methods](#)
[NH Procedural Safeguards](#)
[Receipt of NH Procedural Safeguards](#)

Eligibility Determination Forms

[Acquired Brain Injury](#)
[Autism](#)
[Deaf-Blindness](#)
[Deafness](#)
[Developmental Delay](#)
[Emotional Disturbance](#)
[Hearing Impairment](#)
[Intellectual Disability](#)
[Multiple Disabilities](#)
[Orthopedic Impairment](#)
[Other Health Impairment](#)
[Specific Learning Disability](#)
[Speech/Language Impairment](#)
[Traumatic Brain Injury](#)
[Visual Impairment](#)

Evaluation/Evaluation Planning

[Evaluation Panning](#)
[Evaluation Results Summary](#)
[Classroom Observation](#)

Miscellaneous

[Record of Access](#)
[Release of Information](#)
[Medicaid Parent Letter](#)
[Parent/Guardian Consent \(Medicaid to Schools\)](#)
[Summary of Performance](#)

APPENDIX E BRIEF OVERVIEW OF THE SPECIAL EDUCATION PROCESS INFORMATION FOR PARENTS

The following applies to the Hollis, Brookline, and the Hollis Brookline Cooperative school districts.

Referral

The IEP Team is required to meet within 15 business days of the date on which the referral was received to determine what will be done in response to this referral and to determine the best course of action regarding your child's educational program.

Evaluation

If the IEP Team determines that your child does not need to be evaluated, they will provide you with some ideas/suggestions/modifications pertaining to the reason for referral that may be helpful for your child in the classroom. If the team determines that your child will be evaluated, a meeting will be convened within 60 days of receipt of your written consent to discuss the results of the evaluation and to determine the educational needs of the student, including possible eligibility for special education services.

IEP

If the IEP Team determines that your child is a child with disability, a meeting to develop an Individualized Education Program will be conducted within 30 days. You will be notified of the date and time of the IEP meeting at least ten days in advance.

Placement

Once an IEP has been developed and approved, the IEP Team will meet to determine an appropriate placement within the least restrictive environment for your child. You will be notified of the placement meeting at least ten days in advance.

You may contact the SAU 41 Office of Student Services at:
4 Lund Lane, Hollis, NH 03049
(603) 324-5921

Parents of a child with a disability have certain protections under the procedural safeguards of Part B of the IDEA (Section 615 (d)(1)(a)). A copy of these safeguards may be obtained by contacting:

Lauren DiGennaro, Director of Student Services
Hollis, Brookline, Hollis Brookline Cooperative School Districts
Telephone (603) 324-5921

Additional agencies that can provide assistance in understanding the provisions of Part B of the IDEA:

New Hampshire Department of Education
101 Pleasant Street, Concord, NH 03301
Telephone (603) 271-3741

Disabilities Rights Center in Concord
P.O. Box 3660, Concord, NH 03302
Telephone (603) 228-0432 or (800) 834-1721

The Parent Information Center (PIC)
P.O. Box 2405, Concord, NH 03302
Telephone (603) 224-7005

Individualized Education Program

The Hollis, Brookline and Hollis Brookline Cooperative School District establishes an individualized education program (IEP) team for each child referred to the local educational agency. All meetings involving the identification, evaluation, educational placement, and provision of a free appropriate public education involve the IEP Team.

Participants:

The IEP Team for each child consists of all of the following:

- the parents of the child;
- not less than one regular education teacher of the child if the child is, or may be, participating in a regular educational environment;
- Not less than one special education teacher, or when appropriate, not less than one special education provider of the child
- a representative of the local educational agency:
 - who is qualified to provide or supervise the provision of special education,
 - who is knowledgeable about the general curriculum,
 - who is knowledgeable about the availability of and authorized to commit the resources of the local educational agency and
 - who may be another local educational agency member of the IEP team if the criteria above are met;
- an individual who can interpret the instructional implications of evaluation results, who may otherwise be a team participant;
- when determining the child's educational placement, individuals who are knowledgeable about the child and the placement options;
- at the discretion of the parent or local educational agency, other individuals who have knowledge or special expertise about the child, including related services personnel as appropriate (the determination of the individual's knowledge or special expertise is made by the party [parents or public local educational agency] who invited the individual to be a member of the individualized education program);
- whenever appropriate, the child;
- when transition is being discussed, other agencies who may be responsible for the provision or payment of transition services; and
- when the purpose of the meeting will be consideration of transition services, the student.

If an invited agency does not send a representative to the meeting, the local educational agency takes other steps to obtain the agency's participation in planning transition services. If the student does not attend the individualized education program meeting, the local educational agency takes other steps to ensure consideration of the student's preferences and interests.

Parent Participation in Individualized Education Program Team Meetings:

The Hollis, Brookline and Hollis Brookline Cooperative School Districts take steps to ensure that one or both of the parents of a child with a disability are present at each individualized education program meeting or are afforded the opportunity to participate, including:

- notifying parents of the meeting early enough to ensure that they will have an opportunity to attend and
- scheduling the meeting at a mutually agreed on time and place.

The notice required in these procedures:

- indicates the purpose, time, and location of the meeting and who will be in attendance and
- informs the parents of the provisions in these policies relating to the participation of other individuals on the individualized education program team who have knowledge or special expertise about the child.

For a student with a disability beginning at age 14, or younger, if appropriate, the notice also:

- indicates that a purpose of the meeting will be the development of the required statement of the transition services needs of the student and
- indicates that the local educational agency will invite the student.

For a student with a disability beginning at age 16, or younger, if appropriate, the notice:

- indicates a purpose of the meeting is the consideration of needed transition services for the student;
- indicates the local educational agency will invite the student; and
- identifies any other agency that will be invited to send a representative as long you have been notified and have given your permission for that representative to attend.

If neither parent can attend, the local educational agency uses other methods to ensure parent participation, including individual or conference telephone calls.

The local educational agency conducts meetings without a parent in attendance if the public agency is unable to convince the parents that they should attend. In this case the local educational agency has a record of its attempts to arrange a mutually agreed on time and place, such as:

- detailed records of telephone calls made or attempted and the results of those calls;
- copies of correspondence sent to the parents and any responses received; and
- detailed records of visits made to the parent's home or place of employment and the results of those visits.

The local educational agency takes whatever action is necessary to ensure that the parent understands the proceedings at the individualized education program meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English. The local educational agency gives the parent a copy of the child's individualized education program at no cost to the parent.

Ed 1103.01 IEP Team

Certain individuals must be involved in writing a student's Individualized Education Program (IEP). An IEP team member may fill more than one of the team positions if properly qualified.

The basic team is comprised of the following individuals:

- One or both of the student's parents, guardian, and/or surrogate parent
- A representative of the School District other than the student's teacher who is qualified to provide or supervise the provision of special education services
- Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment)

- Not less than one special education teacher or, when appropriate, not less than one special education provider of the child
- The student (if on the age of majority) and where otherwise appropriate
- Vocational education representatives, if appropriate
- A member of the multidisciplinary team – if the student is newly identified or for initial placement decision
- Other individuals at the discretion of the parent or School District
- A representative of any other agency that is likely to be responsible for providing or paying for transition services WITH PERMISSION of the parent/guardian/adult student.

The regular education teacher must be involved in developing appropriate positive behavioral interventions and strategies, as well as assisting the team in determining the supports necessary for school personnel to implement the IEP. While only one regular education teacher is required to attend the IEP team meeting, it is important for the case manager to consult with or gather additional information from the child's other teachers.

FLOW CHART OF SPECIAL EDUCATION PROCESS

REFERRAL



- Notice of Receipt of Special Education Referral
- Procedural Safeguards to Parent(s)

DISPOSITION OF REFERRAL MEETING
(within 15 business days of referral)



- Notification of Special Education
- Team Meeting Written Prior Notice – Disposition of Referral

EVALUATION PLANNING TEAM MEETING
(including parent)



- Proposal for Evaluation
- Permission to Evaluate Consent Form
- Written Prior Notice
- Parents have 14 days to agree/disagree

DETERMINATION OF ELIGIBILITY TEAM MEETING
(including parent)



- Individual Examiner Reports
- Evaluation Summary report
- Parent’s Response to Special Education Proposal
- Written Prior Notice
- Parents have 14 days to agree/disagree

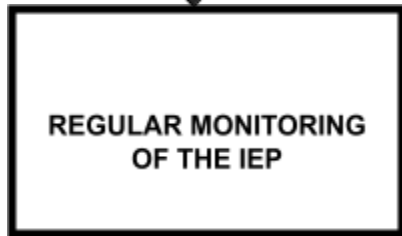
IEP DEVELOPMENT
(within 30 days of identification as a child with a disability)



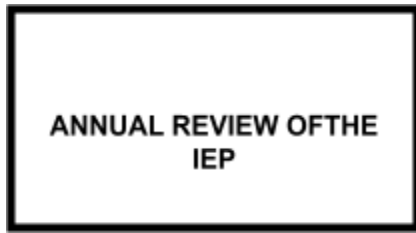
- Parent Notification of Special Education Team Meeting – 10 days in advance
- Documentation of efforts to ensure parent participation in meeting(s)
- Parent participation in IEP development
- IEP – Written Prior Notice – Parent’s Response to Special Education Proposal
- Parent have 14 days to agree/disagree



- Determine placement in least restrictive environment
- Written Prior Notice
- Placement Proposal
- Parent's Response to Special Education Proposal
- Parents have 14 days to agree/disagree



- Ensure progress toward goals
- Consultation, observation, work samples post-testing
- Regular notification of progress to parents



- IEP/Program adjustments to facilitate progress
- Amendments to accommodate for met/exceeded goals

**APPENDIX F
PROCEDURAL SAFEGUARDS**

[NH DOE Special Education Procedural Safeguards Handbook \(December 2024\)](#)

APPENDIX G
COMPLAINTS, ALTERNATIVE DISPUTE RESOLUTION, & DUE PROCESS

COMPLAINT PROCEDURES [ED 1121]

Individuals or organizations may file a complaint to report alleged violations of state and federal special education requirements that may have been committed by the Hollis, Brookline, and/or the Hollis Brookline Cooperative School District regarding the education of children with disabilities. Individuals who live out of state may also file a complaint.

The NH Department of Education has a form available to file a complaint, which may be found on the Department's website ([Model Complaint Form](#)). Use of this form is not required, but all complaints must:

1. Be in writing, or all information can be provided in any alternative format;
2. Be signed;
3. Include a statement that a public agency (usually a school district) has violated a federal or state special education law;
4. Include the facts on which the allegation is based, how it has affected the student and the outcome or resolution sought; and
5. Must allege a violation that occurred within one year before the date filed with the NH Department of Education.

NH does not accept submissions sent via email. Complaints shall be directed to:

New Hampshire Department of Education
Attention: Special Education Complaint Office
25 Hall Street Concord, NH 03301
(603) 271-3196

All complaints received by the Bureau of Special Education will be reviewed by the Complaints Office. If the issues are determined appropriate for the complaint procedures, an investigation of the alleged violation(s) will take place, in accordance with Ed 1121.02.

ALTERNATIVE DISPUTE RESOLUTION [Ed 1122]

The Hollis, Brookline, and Hollis Brookline Cooperative School Districts shall promote collaboration between teachers and parents. Communication between parents and teachers forms the basis for positive working relationships and may often prevent the need to use a more formal dispute process. When differences arise, parties will be

encouraged to resolve them through informal problem-solving meetings whenever possible.

Several options are available for the informal resolution of differences regarding the provision of special education and special education related services. These methods of alternative dispute resolution include the following:

Mediation

Mediation is a voluntary, confidential, and informal dispute resolution process that is guided by a trained professional (mediator). The mediator helps the parents and the District engage in discussions of issues related to the child's free appropriate public education (FAPE) in order to reach a mutually acceptable solution to their dispute. Either party may request mediation by writing to the Commissioner of Education. The mediation conference is conducted within 30 calendar days after receipt of the written request. The mediator is appointed by the NH Department of Education, and the process is provided at no expense to the parent.

If mediation results in an agreement between parents and the District, a mediation agreement containing the details of the resolution is written and signed by both parties. If no agreement is reached, either party may decide to request an impartial due process hearing to resolve the matter.

If both parties agree to participate in mediation, the District shall file a request with the NH Department of Education.

Neutral Conference

A neutral conference is a voluntary, confidential process presided over by a trained professional (neutral) who listens to both sides of a dispute and makes a recommendation, which both sides may either adopt or refuse. The neutral's recommendation should guide both parties in determining whether to proceed with a due process hearing. The neutral's recommendation is non-binding unless both parties agree to it.

If both parties agree to initiate a neutral conference, the District will file a request with the NH Department of Education.

IMPARTIAL DUE PROCESS HEARING [Ed 1123]

This is the most formal process through which to resolve a dispute between the school District and the parent. If the parent and the District cannot agree on a special education issue relating the identification, evaluation, or educational placement of a child with a disability, or the provision of a free and appropriate public education (FAPE), either one

has the option of requesting an impartial due process hearing. The one exception to this is with regard to disagreements relating to the initial provision of services. The hearing is conducted by a hearing officer appointed by the State Department of Education. A due process hearing can be requested by either the school District or the parent on any matters relating to special education.

If either party requests a due process hearing, the District shall inform the parents of free or low cost legal services. The District will offer mediation, and if the parents request a due process hearing, the District will schedule a resolution session.

Requests for a due process hearing must be made in accordance with state statutes of limitations. A parent must request a due process hearing within 2 years of the date on which the alleged violation was discovered or reasonably should have been discovered [1123(b)].

APPENDIX H
DISCIPLINE [Ed 1124; 34 CFR 300.530]

Suspensions of Ten Days or Less During the School Year

Children with disabilities shall be entitled to the same protections and procedures that are available to children without disabilities. School personnel may remove a student with a disability who violates the code of conduct from the student's current educational placement under certain circumstances. A student may be removed to an interim alternative educational setting, another setting, or suspension, for not more than 10 school days at a time, for a violation of school rules, in accordance with the discipline policy of the District that that applies to all students, unless it is determined that the removal constitutes a change of placement.

When a child is removed from his or her current placement for 10 or fewer days in the school year, the District shall not be required to provide any special or regular education services during the suspension, as long as those removals do not constitute a change of placement under 34 CFR 300.536. In accordance with RSA 193:13, the district will make educational assignments available to all students during the period of suspension.

When these removals (10 days or less at one time) accumulate to more than 10 days in a school year, school personnel, in consultation with at least one of the child's teachers, shall determine the extent of services needed to enable the child to progress in the general curriculum and toward the student's IEP goals, and the location in which the services will be provided.

School personnel may consider unique circumstances on a case-by-case basis and whether a change in placement is appropriate for a student with a disability who violates the code of conduct. Change of placement includes removal for more than 10 consecutive days or a series of removals in excess of 10 days that constitute a pattern. When disciplinary action results in a change of placement, notice shall be provided to parents the day the decision is made.

Suspensions of More Than Ten Days

When any change in placement is contemplated for more than 10 school days because of a violation of a code of student conduct, the District, the parent, and relevant members of the IEP Team shall convene, no later than 10 school days after the school decides to suspend the child, and review

- all relevant information in the student's file;
- the child's IEP;
- any teacher observations; and
- any relevant information provided by the child's parents

In order to determine

- if the conduct in question was caused by the child’s disability or had a direct and substantial relationship to the child’s disability; or
- if the conduct in question was a direct result of the District’s failure to implement the IEP.

If either of the above determinations is affirmative, the conduct shall be determined to be a manifestation of the child’s disability. If determined that the child’s conduct is a direct result of the District’s failure to implement the IEP, the District shall take immediate steps to remedy those deficiencies.

If the behavior is not a manifestation of the student’s disability, relevant disciplinary procedures that apply to students without disabilities may be applied in the same manner as they would be applied to other students, except that appropriate educational services must continue.

Manifestation Determination Decision

If the District, the parent, and relevant members of the IEP Team determine that the child’s conduct was a manifestation of his/her educational disability, the IEP Team shall:

- conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan for the child, or
- If a behavioral intervention plan has been developed, the team shall review the existing plan and modify it as necessary to address the behavior; and
- except under “special circumstances,” return the student to the placement from which the student was removed, unless the parent and the District agree to a change of placement as part of the modification of the behavioral intervention plan.

“Special Circumstances” allowing for removal to an Interim Alternative Educational Setting

The child may be removed from his/her current placement by school personnel and placed by the IEP Team in an Interim Alternative Educational Setting (IAES) for up to forty-five (45) school days without regard to the manifestation determination in cases where the child:

1. carried or possessed a weapon to or at school, on school premises, or to or at a school function under jurisdiction of a state educational agency (SEA) or District;
2. knowingly possessed or used illegal drugs, or sold or solicited the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an SEA or District; or
3. inflicted *serious bodily injury* upon another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or District. The term

serious bodily injury as defined in 18 U.S.C. 1365(h)(3) means a bodily injury that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

No later than the date of the disciplinary decision, the District shall notify the parents of the decision and of the procedural safeguards. If parents disagree with the decision and request an appeal, the child shall remain in the alternative setting pending the appeal.

If there is a disagreement with the parents, the District may seek an order from a Hearing Officer for placement in an interim alternative educational setting when it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

A child who has not been determined to have a disability and is subject to disciplinary action may assert the protections in this part if the District had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The District will consider cases on an individual basis and in accordance with CFR 300.534.

Protections for Children Not Yet Eligible for Special Education and Related Services.

Nothing in this part will prohibit employees of the District from reporting a crime committed by a child with a disability to appropriate authorities. Neither will it prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability. If the District reports a crime committed by a child with a disability, then the District shall also ensure that copies of the special education and discipline records will be transmitted for consideration by the appropriate authorities, but only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA).

Attendance and Discipline

It is expected that all students in the Hollis, Brookline, and Hollis Brookline Cooperative School Districts will comply with the attendance and behavior expectations and rules of the schools. The District shall not discriminate against anyone on the basis of disability when administering attendance and discipline systems. To this end, a minority of students may require accommodations or modifications to the discipline or attendance policies because of their educational disabilities. If a student with a disability is in jeopardy of not meeting the attendance requirements or school rules, the Individualized Education Program (IEP) Team will convene and review and/or revise the student's Individualized Education Program (IEP) as appropriate.

Policies pertaining to student discipline are linked below; PDF versions are on the following pages of this appendix in the hard copy of this manual.

Student Conduct

[JIC - Hollis](#)

[JIC - Brookline](#)

Student Discipline & Due Process

[JICD - Brookline](#)

[JICD - Hollis](#)

Student Conduct, Discipline, & Due Process

[JICD - Coop](#)

Behavior Management & Intervention

[JLDBAA - Brookline](#)

[JLDBA - Coop](#)

[JLDBA - Hollis](#)

APPENDIX I
INDEPENDENT EDUCATIONAL EVALUATIONS [34 CFR 300.502]

(a) **General.**

(1) The parents of a child with a disability have the right under this part to obtain an independent educational evaluation of the child, subject to paragraphs (b) through (e) of this section.

(2) Each public agency must provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the agency criteria applicable for independent educational evaluations as set forth in paragraph (e) of this section.

(3) For the purposes of this subpart—

(i) **Independent educational evaluation** means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question; and

(ii) **Public expense** means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with § 300.103.

(b) **Parent right to evaluation at public expense.**

(1) A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency, subject to the conditions in paragraphs (b)(2) through (4) of this section.

(2) If a parent requests an independent educational evaluation at public expense, the public agency must, without unnecessary delay, either—

(i) File a due process complaint to request a hearing to show that its evaluation is appropriate; or

(ii) Ensure that an independent educational evaluation is provided at public expense, unless the agency demonstrates in a hearing pursuant to §§ 300.507 through 300.513 that the evaluation obtained by the parent did not meet agency criteria.

(3) If the public agency files a due process complaint notice to request a hearing and the final decision is that the agency's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

(4) If a parent requests an independent educational evaluation, the public agency may ask for the parent's reason why he or she objects to the public evaluation. However, the public agency may not require the parent to provide an explanation and

may not unreasonably delay either providing the independent educational evaluation at public expense or filing a due process complaint to request a due process hearing to defend the public evaluation.

(5) A parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees.

(c) **Parent-initiated evaluations.** If the parent obtains an independent educational evaluation at public expense or shares with the public agency an evaluation obtained at private expense, the results of the evaluation—

(1) Must be considered by the public agency, if it meets agency criteria, in any decision made with respect to the provision of FAPE to the child; and

(2) May be presented by any party as evidence at a hearing on a due process complaint under subpart E of this part regarding that child.

(d) **Requests for evaluations by hearing officers.** If a hearing officer requests an independent educational evaluation as part of a hearing on a due process complaint, the cost of the evaluation must be at public expense.

(e) **Agency criteria.**

(1) If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation.

(2) Except for the criteria described in paragraph (e)(1) of this section, a public agency may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense. Please refer to Policy IHBAB (Special Education Evaluations), below.

[IHBAB - Brookline](#)

**APPENDIX J
IDEA Part B, Section 611 Assurances**

For Reference Purposes Only

Each year, as a condition of receiving the federal funds, LEAs must assure compliance with all requirements of the IDEA. A section of the “Annual Request for Federal Special Education Funds” is dedicated to this requirement.

The District assures that the required procedures are being followed and indicates the sources of documentation within the district within the following chart.

Each participating LEA must clearly identify the name of the document supporting each of the Federal Assurances; indicate where each document is located, and the date the document was adopted. Do not submit the documents. For monitoring purposes, each participating district must keep a file containing all the documentation referenced in this part. Specific guidance concerning what kinds of information is sufficient to document the LEA’s compliance is described below for your reference.

IDEA Part B SECTION 611 ASSURANCES - SECTION II

Federal Assurance	Document Name	Document Location
Free Appropriate Public Education (FAPE)	<p>Special Education Procedures Plan Introduction & Sections 3, 6</p> <p>Policy IHBA</p> <p>Each application must assure procedures that all children with disabilities aged 3 to 22 residing within the jurisdiction of the local education agency have a right to FAPE, including children with disabilities who have been suspended or expelled from school.</p>	<p>SAU 41 Website</p> <p>SAU 41 Central Office</p>

<p>Child Find</p>	<p>Special Education Procedures Plan Section 1 Policies</p> <p>Affirmation of Consultation</p> <p>Each application must assure procedures which ensure that all children, including highly mobile children (such as migrant and homeless children), residing within the jurisdiction of the local education agency who are disabled, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated, including a practical method of determining which children are not currently receiving needed special education and related services.</p> <p>Please note that the IDEA 2004 LEA child find requirements have changed for private schools. Each LEA shall locate, identify, and evaluate all private school children with disabilities, including religious-school children, educated in the jurisdiction of the LEA. The activities undertaken to carry out this responsibility for private school children with disabilities must be comparable to activities undertaken for children with disabilities in public schools.</p>	<p>SAU 41 Website SAU 41 Central Office</p> <p>Grant Management System - IDEA</p>
<p>Confidentiality of Information</p>	<p>Special Education Procedures Plan Section 2 Notification of Rights Under FERPA</p> <p>Each application must assure policies and procedures that ensure that the criteria in 20 U.S.C. 1400 et seq. are met.</p>	<p>SAU 41 Website SAU 41 Central Office</p>
<p>Individualized Education Programs</p>	<p>Special Education Procedures Plan Section 6</p> <p>Each application must include procedures to assure that the LEA complies with the provision of 20 U.S.C. 1400 et seq.</p>	<p>SAU 41 Website SAU 41 Central Office</p>

<p>Procedural Safeguards</p>	<p>Special Education Procedures Plan Section 5</p> <p>Receipt of Procedural Safeguards Document</p> <p>Each application must provide assurance satisfactory to the New Hampshire Department of Education that the LEA has procedural safeguards which meet the requirements of 20 U.S.C. 1400 et seq.</p> <p>If using the Procedural Safeguards Handbook created by the NHDOE, the District must assure that it is providing the current publication to the parent:</p> <p>https://www.education.nh.gov/who-we-are/division-of-learner-support/bureau-of-student-support/special-education/laws-rules-policies</p>	<p>SAU 41 Website SAU 41 Central Office</p>
<p>Participation in LRE</p>	<p>Special Education Procedures Plan Sections 3, 8</p> <p>Written Prior Notice Documents</p> <p>Each public agency shall ensure:</p> <ol style="list-style-type: none"> 1. That to the maximum extent appropriate, consistent with the provisions of 20 U.S.C. 1400 et seq., children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; 2. That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. 	<p>SAU 41 Website SAU 41 Central Office</p>
<p>Participation in State & District Wide Assessment</p>	<p>Special Education Procedures Plan Section 7</p> <p>Data submitted annually in i4see/NHiNdex System</p> <p>Each application must include procedures which ensure that the LEA complies with the provisions of 20 U.S.C. 1400 et seq.</p>	<p>SAU 41 Website SAU 41 Central Office</p>

<p>Parent Participation with Special Education Process</p>	<p>Special Education Procedures Plan Section 6</p> <p>Notice of IEP Team Meeting form</p> <p>Record of Team Meeting form</p> <p>Other logs/forms as needed</p> <p>New Hampshire Department of Education, Bureau of Student Support</p> <p>Each application must include procedures to ensure that, in meeting the goal under the provisions of 20 U.S.C. 1400 et seq. (full education opportunity goal) the LEA makes provision for participation of and consultation with parents or guardians of children with disabilities.</p>	<p>SAU 41 Website SAU 41 Central Office</p>
<p>Full Educational Opportunity Goal</p>	<p>Special Education Procedures Plan</p> <p>Each application must include documentation which provides equal educational opportunities to all children with disabilities.</p>	<p>SAU 41 Website SAU 41 Central Office</p>
<p>Compliance with the McKinney-Vento Homeless Education Assistance Improvement Act</p>	<p>Special Education Procedures Plan Section 6</p> <p>SAU 41 Policies</p> <p>Each application must include documentation which ensures access to a free, appropriate public education (FAPE) for children who are experiencing homelessness.</p>	<p>SAU 41 Website SAU 41 Central Office</p>