Littleton School District/ SAU #84

SPECIAL EDUCATION

PROCEDURE PLAN

Date Revised: August 2021

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Resource Document: Interagency Agreement Region 1 Early Childhood Transitions

Section 1

INTRODUCTION
LITTLETON'S SPECIAL EDUCATION PROCEDURES PLAN
Ed 1126.01(b)

Superintendent of Schools: Dr. William Hart

Director of Student Services: Kelly Noland

Business Manager: Patricia Brown

Administrative Assistant/Human Resources Coordinator: Christine Hudson

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

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

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

Section 2
CHILD FIND
34 CFR 300.111 Ed 1126.01(b)(1) Ed 1105
Participation of other Agencies
Ed 1126.01(b)(10)

Littleton School District (hereinafter, "the district") understands that we have an obligation to find children who are potentially a child with a disability who is 2.5 years of age up to 21 years of age. This responsibility is known as Child Find and is defined in the NH Standards for the Education of Children with Disabilities under section Ed 1105. This applies to all children with disabilities, including highly mobile children (such as migrant and homeless children), children placed in homes for children, health care facilities, or state institutions, and children who are suspected of being eligible under IDEA, even though they are advancing from grade to grade. In addition, this applies to those children attending approved, non-public private schools within the geographic boundaries of the district.

All data and information collected and used under this section are subject to confidentiality requirements as described in Section 3, Confidentiality.

The districts' Child Find program includes, at a minimum, the following:

1. **Referral Process:** The district has established referral procedures, which ensure that all students who are suspected or known to be a child with a disability are referred to the special education evaluation team for further evaluation. These procedures are found in Section 8, Pupil Evaluation to Placement.

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 test 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. **Annual Dissemination of Child Find Procedures**:

   The Littleton School District's LEA, Kelly Noland, CAGS, and Preschool Coordinator, Jessica Bisson, disseminate flyers around the community (Post Office, Grocery Stores, Local Medical Offices, and more), provide elementary aged children a flyer(s) to send out to all families, as well as to preschool programs(s) within the community,

and post on the school's website and social media pages. Such notices include contact information via telephone number, email addresses, and mailing address.

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

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

5. Annually, the district, which includes, the Director of Student Services and Building LEA publicizes and disseminates information, which describes its Child Find Program. This includes a description of the district's special education program, supports and services, including a contact person, his/her functions, and the manner by which he/she might be contacted for further information or referral

6. The district shall annually provide all parents of children with disabilities information regarding their rights and responsibilities under federal and state special education laws.

7. The district ensures that all referrals from parents and others who suspect or know a child with a disability are forwarded to the SAU Director of Student Services and Building LEA and the evaluation team. The district shall provide the parents with a written notice of any referral other than one initiated by the parent.

The district ensures there are continuing efforts related to cultural competency in relationship to public awareness and child find activities, such as the ability to communicate with and relate to parents and families in ways which are appropriate to their individual racial, ethnic, and/or cultural backgrounds.

8. **Transition Process for Children Exiting Family Centered Early Supports and Services who is Potentially a Child with a Disability**: For those students who are transitioning from Early Supports and Services to preschool, the district will participate in a transition planning meeting for the purposes of affecting a smooth and timely transition and implementing an Individual Education Program or Individual Family Support Plan by the child's third birthday. The district shall coordinate with area agencies and family centered supports and services to establish a process of district notification of children served by these programs consistent with the interagency agreement between the district and the area agencies providing family centered supports and services.

   The School District shall schedule and convene the IEP Team and conduct the disposition of referral process/meeting.
   The procedure is:
   a. Upon receiving a Referral from FCESS, regardless of the child's age, the School District Preschool Contact shall contact the family acknowledging the receipt of the referral.
   b. Within 15 business days from receiving a referral from an FCESS Service Coordinator, regardless of the age of the child, the School District shall schedule and convene the IEP Team, which includes the family, and conduct a Disposition of Referral meeting. With parental permission, the School District shall invite the FCESS Service Coordinator.
   c. At the Disposition of Referral meeting the IEP team, which includes the family, shall determine whether the concerns raised by the referral can be addressed utilizing existing pupil support services available to all children, determine if and how any previously administered evaluations will be utilized and if further evaluation is necessary to determine eligibility. The role of the FCESS Service Coordinator/Provider in any IEP Team/special education meeting is to provide the team with information regarding the child and to support the family in the process.
   d. The IEP Team may determine that, based on the age of the child at the time of referral and that they are currently receiving ESS services, the IEP team will reconvene at a date closer to the child's third birthday, but not less than 90 days before the third birthday, to determine what, if any, evaluations are necessary. A follow-up meeting date will be set at this meeting and be reflected in the Written Prior Notice.
   e. Effort shall be made to schedule the Disposition of Referral meeting during a convenient time for the FCESS Service Coordinator, however, the Disposition of Referral meeting shall be conducted if the Service Coordinator is unable to attend to ensure the meeting occurs within the 15-business day timeline required by the NH Standards/Rules for the Education of Children with Disabilities.
   f. As part of the referral process, the school district shall provide the parents with the Procedural Safeguards handbook and other materials regarding their rights and responsibilities in the special education process.

g. The NH Standards/Rules for the Education of Children with Disabilities require a school district to act upon a referral regardless of its source and age of the child. The School District may request an informational packet be completed by the family, however, failure by the parent to complete the packet cannot be used to defer the timelines for the disposition of the referral or the evaluation.
h. Parents shall be provided with Written Prior Notice of all proposals/refusal that occur at any meeting (Disposition of Referral, Evaluation, Eligibility, IEP and Placement) so that they may make informed decisions. Parents shall be given 14 calendar days to make decisions regarding any proposal by the IEP team.
i. As required by the NH Standards/Rules for the Education of Children with Disabilities, written parental permission is required before any evaluation may be conducted by the school district. This includes an observation of the child while at the Disposition of Referral meeting. Parents may give written permission at the meeting for the observation/evaluation to occur. Without written permission, the IEP team may not use the observation/information as part of determining eligibility or present levels.
j. Whenever appropriate and if parents agree, meetings can be combined, such as the Disposition of Referral meeting and Transition Conference as long as all participants required under the respective regulations are in attendance and the timing of the meetings is within state and federal regulatory requirements.

Section 3
CONFIDENTIALITY OF INFORMATION
Ed 1126.01(b)(2) Ed 1119.01

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

Retention and Destruction of Special Education Records

NH Standards, adopted March 23, 2017, reformed April 10, 2020, includes a retention and destruction requirement pursuant to Ed 1119.01 and RSA 186-C:10-a. This requirement indicates the following:

Ed 1102.04 Definitions: "Parent" means a biological or adoptive parent, surrogate parent, or a guardian pursuant to 34 CFR 300.30. Parent does not mean the state when the state has legal guardianship."

For the purposes of this section "adult student" means "adult student" as defined in 20 USC
1232g(d)

ACCESS RIGHTS

The district permits parents to inspect and review any education records relating to their child that is collected, maintained, or used by the district. 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 45 days after the request has been made.

The right to inspect and review special 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 may presume 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.

The LEA shall allow the parent the right to inspect and review the student's education records within 14 days after the day the school receives the request for access.

TRANSFER OF RIGHTS AT AGE OF MAJORITY
The rights of parents 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 incompetent consistent with the provisions of 34 CFR 300.320(c) and 34 CFR 300.520.

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.

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.

RECORD OF ACCESS
The district will annually maintain a current 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.

RECORD ON 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 child or to be informed of that specific information.

LIST OF TYPES and LOCATION OF RECORDS
The district provides to parents, upon request, a list of the types and locations of education records collected, maintained, or used by the district.

FEES
The district may not charge a fee for copies of records that are made for and does not prevent the parents from exercising their right to inspect and review those records. The district does not charge a fee to search for, to retrieve information or copy information.

RETENTION AND DESTRUCTION OF SPECIAL EDUCATION RECORDS
An LEA may retain and store the student's special education records in electronic form or any other form. An LEA shall provide a parent and/or adult student a written notice of its document destruction policies upon the student's graduation with a regular high school diploma or at the transfer of rights or whichever occurs first.
The LEA shall provide public notice of its document destruction policy at least annually. Additionally, an LEA will notify, publicly, records to be destroyed for students turning 26 years of age. The LEA will maintain a copy of the student's last Individualized Education Plan (IEP).

A private provider of special education may destroy a student's special education records prior to the student's 26th birthday if the private provider of special education has sent all of the student's records or copies of such records to the most recent LEA of record. A private provider of special education may retain and store the student's special education records in electronic form or any other form. A private provider of special education shall provide a parent or adult student a copy of its document destruction policy upon the student's discharge from the private provider of special education.

AMENDMENT OF RECORDS AT PARENT REQUEST

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 to not amend the information in accordance with the request, it will inform the parent of the refusal and advise the parent of the right to a hearing.

OPPORTUNITY FOR HEARING

The district, on 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 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, it will inform the parent of the 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.

HEARING PROCEDURES

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

CONSENT

Except as to disclosures for which parental consent is not required, parental consent is obtained before personally identifiable information is (1) disclosed to anyone other than officials of participating agencies collecting or using the information, or (2) used for any

purpose. The district will not release information from education records to participating agencies without parental consent unless authorized to do so.

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 procedures. 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.

SAFEGUARDS

Each district must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. One official at the district must assume responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must receive training or instruction regarding the state's policy and procedures. Each district must maintain, for public inspection, a current listing of the names and positions of those employees who may have access to personally identifiable information.

DESTRUCTION OF INFORMATION

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.

CHILDREN'S RIGHTS

The district ensures 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.

DISCIPLINARY INFORMATION

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 student records of children 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 personally identifiable information is:
Dr. William Hart, Superintendent
Kelly Noland, Director of Student Services
Crystal Martin, Lakeway Elementary School Principal
Mark Fiorentino, Daisy Bronson Middle School/Littleton High School Principal
All staff take an online training regarding confidentiality and personally identifiable information at the start of each school year.

Section 4
FACILITIES, PERSONNEL & SERVICES
Ed 1126.01(b)(3)

The Littleton School District 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 uses of supplementary aids and services cannot be achieved satisfactorily. Placement decisions for children with disabilities shall be made on an individual basis by the IEP team and in accordance with the procedures described in Section 8, Pupil Evaluation to Placement.

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

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

Equipment, Materials and Assistive Technology
The district shall provide appropriate instructional equipment and material, including assistive technology devices and assistive technology services appropriate to implement each student's IEP.

Personnel Standards
Teachers of students with disabilities, prior to employment, shall have valid New Hampshire certification appropriate for the disabilities of the students they serve.

All qualified examiners shall have the appropriate license or certification for required assessments.

Programs and Services
The IEP team shall make placement decisions in accordance with 34 CFR 300.116.

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 placements.
Preschool children with disabilities may receive their special education program in any of the environments listed in Table 1100.2 as follows:

Continuum of Alternative Learning Environments – Ages 3-5
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.

The following shall apply to the home program for children with disabilities ages 3 through 5:

1. A preschool child may receive some or all special education and related services in the child's home, as determined by the IEP team; and
2. Qualified personnel, as identified in the IEP or IFSP, shall provide services in the home.

The following shall apply to early childhood special education programs which are made up of early childhood special education classes:

1. An early childhood special education class shall be considered a special education class when it includes less than 50% children without disabilities;
2. In an early childhood special education program there may be more than one early childhood special education class.
3. The LEA shall ensure the individual needs of the children with disabilities can be met when determining the number of children to be enrolled and staffing in the early childhood special education class;
4. Preschool children with disabilities will be placed in an early childhood special education program;
5. Preschool children in an early childhood special education class shall be between the ages of 3 and 5 years of age, a 2-year-old who turns 3 during the school year, or a 5-year-old who turns 6 after September 30 of the school year;
6. The minimum teacher to student ratio in all early childhood special education class shall be:
    a. One qualified teacher for one to 8 preschool students;
    b. One qualified teacher and one qualified paraprofessional for 8-12 preschool students unless the needs presented by the severity of the disabilities warrants the assignment of additional staff; or
    c. Two qualified teachers for 8-12 preschool students;
    d. The maximum number of preschool children in an early childhood special education class shall be 12;

Preschool children with disabilities may receive their special education program in any of the environments listed in Table 1100.2 as follows:

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.

Continuum of Alternative Learning Environment – Ages 6-21 – Ed 1111.03
Children ages 6-21 may receive their special education program at any of the environments listed in Table 1100.03. The district provides educational services to students with disabilities along a continuum of environments including the following:

Table 1100.3 Continuum of Alternative Learning 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.

HOME INSTRUCTION (Ed 1111.04)

The district shall provide students with home instruction as follows:

1. Preschool students with disabilities may receive all or a portion of their special education program at home depending upon the need as specified in the IEP.
2. Children with disabilities ages 6-21 may receive a home instruction program. Such programs shall minimally include 10 hours per week of specially designed instruction as specified in the student's IEP and may also include educationally related services as specified in the child's IEP. Related services to be provided shall be in addition to the 10 hours of specially designed instruction. Services shall be implemented by qualified personnel. Placement is determined at least annually and is based on the child's IEP.
3. Home instruction for children at least 6 years of age but less than 21 years of age shall offer access to the general curriculum and allow students to participate with non-disabled children to the maximum extent appropriate to the need of the student.
4. Home-based programs described in Ed. 1111.04(c) shall not include parent designed home education programs.
5. Length of school year and school day shall be consistent with RSA 186-C:15.
6. A child with a disability who is in a hospital or institution may receive special education or special education and educationally related services in that setting.

Facilities and Location

- Instructional areas for children with disabilities shall be located in classrooms with students of a similar chronological age and shall be comparable to other classrooms within the school. They shall be located in facilities that are, in the judgment of the IEP team, in the least restrictive environment.
- The physical space used for classrooms and other instructional programs and school activities for children with disabilities shall be of sufficient size to accommodate program modifications and accommodations necessary to implement the children's IEPs and to provide for all other learning activities.

Length of School Day

- **Preschool level**: The IEP team shall determine the length of the school day for preschool students with disabilities.
- **Elementary/High School**: The school day shall be a minimum of 180 days in each year or the equivalent number of hours approved by the Commissioner of Education, NHDOE.

When, due to a student's limited physical and/or emotional stamina, the special education placement team recommends a school day of less than the minimum hours listed above,

written consent shall be obtained from the Superintendent of Schools for Littleton School District and the parent prior to implementing a shortened school day. A copy of the written consent shall be sent to the parent, and another placed in the student's school records. 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.

Length of School Year

- The district shall provide a standard school year of at least 180 days or the equivalent number of hours. Students with disabilities in need of extended school year programming shall be provided for through the requirements described in Section 8, Pupil Evaluation to Placement. Extended School Year Programming shall not be limited only to the summer months.

Supervision and Administration

The Superintendent of Schools, the Director of Student Services, and the Building Principals or their designees shall supervise the services and programs provided to students with disabilities.

Paraprofessionals shall work under the direct supervision of appropriately certified personnel and be supervised by the professional under whom they work as often as deemed necessary by the district, but no less than once each week. Paraprofessionals shall implement plans designed by the supervising professionals and monitor the behavior of student(s) with whom they work. They may not design or evaluate the effectiveness of programs.

Diplomas

The district 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 21, whichever occurs first, or until the district determines that the student no longer requires special education in accordance with Section 8, Pupil Evaluations to Placement.

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 28 credits
2. meet specific course requirements as described in the High School Student Handbook/Program of Studies
3. meet all attendance requirements as stated in the High School Student Handbook of the high school the student is enrolled (and/or local district policy).

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 Hi-Set (High School Equivalent Test – formerly known as 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-one 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.

PROGRAM DESCRIPTIONS

HIGH SCHOOL

The Special Education teams of Littleton School District provide the support students need to achieve their greatest level of academic and functional independence. As mandated through IDEA, individual transition plans and goals are developed for students through the IEP to support students’ needs and ensure readiness for post-secondary opportunities.

MIDDLE AND ELEMENTARY SCHOOL

All students, including special education students, receive inclusion support in general education curriculum. Provision of special education services is a collaborative effort between regular and special education staff. Paraprofessionals and special education teachers/case managers, provide in-class support including reinforcement of the teacher's instruction as determined by the IEP. Classroom teachers receive support in implementing IEP accommodations and modifications through consultation with special education teachers/case managers and cooperative teaching is utilized.

PRESCHOOL & KINDERGARTEN

The mission at Littleton School District is to provide high quality developmental programming to children. Services are approved though coordinated programming at various area preschool settings, in conjunction with related service providers as determined by the students IEP.

RELATED SERVICES

Adaptive Physical Education: The adapted physical education program is designed to allow students with a wide range of disabilities and needs to meet the goals and standards of the regular physical education program. The adapted physical education program may be conducted as a full-time program, a supplemental program or by adapting to individual needs within a regular class. Special attention to individual needs, both physical and cognitive, and levels of psychomotor development are important components of the program.

Counseling: Counseling is provided for students who require counseling in order to benefit from their special education program through the student’s IEP and may include counseling, behavioral supports and interventions.

Occupational Therapy: A certified Occupational Therapist may deliver services to students with issues with their fine motor skills, sensory integration, self-regulation, and functional living skills as per their IEP.

Physical Therapy: A certified Physical Therapist delivers service to students with disabilities who have gross motor deficits.

Speech: A Speech Language Pathologist (SLP) provides services to speech and language identified students through direct services (group and individual) or a consultative basis as per the IEP.

Transportation: Transportation is provided for students with disabilities in order to access their special education and related services as determined by the IEP Team.

Other related services are provided by qualified staff as needed to provide access to the general curriculum and as determined by the IEP team.

Section 5
PERSONNEL DEVELOPMENT
Ed 1126.01(b)(4)

Littleton School District has adopted a Professional Development Master Plan to serve as a basic guideline for the operation of its professional development for the five-year period of July 2013 to July 2018.

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

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

The plan is developed by a local professional development committee, established by the Superintendent of Littleton School District and is incorporated herein for all purposes. A copy of the Professional Development Master Plan is on file at the SAU #84 office.

Section 6
PUBLIC PARTICIPATION
Ed 1126.01 (b)(6)

A copy of Littleton School District's Special Education Procedure Manual shall be available for review by parents, other agencies and the general public. Copies of the Manual shall be located at the SAU office, and the Principal's office of each building (Mildred C. Lakeway Elementary and Daisy Bronson Middle School/Littleton High School).

The Special Education Procedure Manual shall be reviewed and revised as necessary. When the plan is under review, the public shall be notified and given an opportunity to review the information and provide input.

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

Each year, the district submits its "Annual Request for Federal Special Education Funds" to the NH Department of Education for approval. The district shall provide reasonable opportunities for participation of teachers, parents and other interested agencies, organizations, and individuals in the planning for and operation of this program.

Section 7
PROCEDURAL SAFEGUARDS
34 CFR 300.504 Ed1126.07(b)(7) Ed 1120

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

The Littleton School District will give a copy of the current New Hampshire Procedural Safeguards in Special Education to the parents, including plain language explanations of the parent’s procedural rights, once per year, but at a minimum upon:

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

The district shall ensure that the parents of children with disabilities are afforded all of the rights and procedural safeguards contained in federal law and described in the NH Standards including, but not limited to, the right to:

- Receive written prior notice of any action regarding their child which the district proposes or refuses;
- Grant or refuse consent for any district action regarding their child;
- Obtain an independent educational evaluation;
- Appeal specific proposals of the district regarding their child, and
- File 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, or an adult student may authorize an individual to act on their behalf pursuant to a duly executed power of attorney.

Written Prior Notice

Parents will be officially notified in writing any 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 notification shall include:
1. A description of the action proposed or refused by the district.
2. An explanation of why the agency proposes or refuses to take the action.
3. A description of each evaluation, procedure, assessment, record or report the district used as basis for the proposed or refused action;
4. A statement that the parents of the child with disabilities have protection under the procedural safeguards of IDEA (if this notice is not an initial referral for evaluation, the means by which a copy of the description of the procedural safeguards can be obtained;
5. Sources for parents to contact to obtain assistance in understanding the provisions of the law; a description of the other options that the IEP team considered and the reasons why those options were rejected; and
6. A description of other options that the IEP team considered and the reasons why those options were rejected; and
7. A description of other factors relevant to the district's proposal or refusal.

Informed Consent

The district shall obtain informed, written consent from the parent of a child with a disability prior to:
- conducting an initial evaluation,
- initial provision of special education and related services to a child with a disability, annual renewal of the IEP and placement of a child with a disability,
- determining or changing the disability classification,
- changing the nature or extent of the special education or special education and related services, or
- conducting a re-evaluation
- annual access to public insurance or when changes in services paid by public insurance are made; and
- each time the district proposes to access the public insurance.

Parents of children with disabilities shall have 14 days after the receipt of written prior notice to sign documents included with the notice to indicate consent, consent with conditions, or denial of consent. The 14-day time limit shall be extended if the district and parent mutually agree to an extension.

The district shall advise the parent in writing of the necessity of signing documents that describe actions requiring the parent's consent for the purpose of ensuring the timely provision of appropriate services. Additionally, the district shall advise the parent of the right to access all of the rights and procedures outlined in this section if the parent disagrees with a proposal that the district makes.

The district shall take reasonable measures to obtain consent including, but not limited to, phone contact and letters. The district shall document all contacts made or attempted and the results of these contacts. Copies of all letters and responses received shall be kept in the student's confidential file.

A copy of any document the parent gives consent in writing shall be provided to the parent, and a copy of such document shall also be placed in the child's educational records. Should a parent either deny consent or not respond to a request for written consent, the district is required to respond in the following ways:

Initial evaluation (Ed 1120.05(c))

The district is required to obtain informed consent for the initial evaluation. If a parent refuses consent to a proposal, the LEA shall have the authority to pursue the initial evaluation by the initiation of a due process hearing under Ed 1123.

Initial provision of services (Ed 1120.05(d))

The district is required to obtain informed consent for the initial provision of services. If a parent refuses consent for the initial provision of special education services, the district shall not pursue the initial provision of special education services by initiating a due process hearing under Ed 1123. The LEA shall have the authority to initiate court proceedings to authorize the initial provision of special education services.

Parental Revoking of Consent

If, at any time subsequent to the initial provision of special education and related services, that parent of a child revokes consent in writing for the continued provision of special education and related services, the school district: 1) may not continue to provide special education and related services to the child; 2) provide a written prior notice before ceasing the provision of special and related service; 3) may not use the mediation or due process procedures to obtain an agreement or ruling that the service may be provided to the child; 4) may not be considered in violation of the requirement to make FAPE available to the child and; 5) need not convene the IEP Team meeting or develop an IEP for the child.

Re-evaluation and Continuation of Services

The district is required to obtain informed consent for both the re-evaluation and continuation of services. If the parent fails to respond to the request for consent, the district shall implement the proposed changes after the district has taken reasonable measures to obtain informed written consent. If the parent refuses consent for a re-evaluation or the continuation of services, the district shall pursue the reevaluation or continuation of services through dispute resolution processes.

Other Consent areas

Public Insurance - The district must obtain informed consent once, the first time the district seeks to access the child's public insurance. The district must provide annual notification which includes a withdrawal or consent provision. The withdrawal of consent provision terminates the district's authority to access the child's state public benefits or insurance program. This withdrawal of consent is effective upon the district's receipt of the parents signed withdrawal. The district must notify the parents that the refusal to allow access to their public insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents. The district may not initiate dispute resolution processes if a parent refuses to grant consent.

Private Insurance – The district must obtain informed parental consent each time it proposes to access private insurance and notify the parents that the refusal to allow access to their private insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents.

Release of Records - The district must obtain informed consent for the release of education records. If the parent refuses consent, the district may initiate a court proceeding to obtain a court order for the release of information.

Independent Educational Evaluation

Parents shall have the right to request an independent evaluation at the district's expense if they disagree with an evaluation conducted by the district. If parents request an independent educational evaluation at public expense, the district shall either initiate a due process hearing to show that its evaluation is appropriate or ensure that an independent educational evaluation is provided at public expense, unless it has demonstrated at a hearing that the evaluation obtained by the parent does not meet the district's criteria.

The district may ask for the reason why parents object to the district's evaluation; however, the explanation shall not be required and the district shall not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the district's evaluation.

If a parent obtains an independent educational evaluation at private expense, the district shall consider the results of the evaluation if it meets the district's criteria. 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 district uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation. Results of an independent evaluation obtained at parents' expense may be presented as evidence at a hearing regarding the child.

Appeal Decisions

The parent shall have the right to appeal any decision of the district or IEP team regarding the referral, evaluation, determination of eligibility, IEP, provision of a free and appropriate public education, or placement of a child with a disability using the procedures detailed in the NH Rules - Ed 1122.

A due process hearing can be initiated by either party at any time and will be conducted in accordance with the NH Rules - Ed 1122. Alternative dispute resolution shall be voluntary and available to parents and the district in accordance with the NH Rules.

Unilateral Placement

When parents unilaterally place a student with disabilities in a private school, the parents have 90 days to file for a due process hearing seeking reimbursement. The statute of limitations does not begin to run until:

1. Parents receive notice of the Statute of Limitations and;
2. Proper written notice of their procedural rights pursuant to 20 U.S.C. section 1415 (d), RSA 186-C: 16-b, III.

File Complaint

The parent shall have the right to file a complaint to report actions taken by the district that are contrary to the provisions of state and federal requirements regarding the education of children with disabilities.

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 he filed according to the NH Rules – Ed 1121.

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

Disabilities Rights Center, Inc.
P.O. Box 3660
Concord, NH 03302-3660
228-0432 (toll free 1-800-852-3336)

New Hampshire Legal Assistance (Central Administration Office)
15 Green Street
Concord, NH 03301
225-4700

New Hampshire Legal Assistance
Simeon Smith House
The Hill
P.O. Box 778

Portsmouth, NH 03802-0778
431-7411 (toll free 1-800-334-3135)

New Hampshire Bar Assoc. Pro Bono Referral System
112 Pleasant Street
Concord, NH 03301-2947
224-6934 (toll free 1-800-639-5290)

Parent Information Center
P.O. Box 1422
Concord, NH 03302-1422
224-7005

New Hampshire State Department of Education, Special Education Department
101 Pleasant Street
Concord, NH 03301
271-3741

Special Education Mediation
NH State Department of Education
101 Pleasant Street
Concord, NH 03301
271-2299

IEP Meeting Facilitation
NH State Department of Education
101 Pleasant Street
Concord, NH 03301
271-3741

Section 8
PUPIL EVALUATION TO PLACEMENT
Ed 1126.01(b)(8)
PARENT INVOLVEMENT
Ed 1126.01(b)(5)

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

The district implements the Special Education Process utilizing the following sequence:

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

PARENT

The term "parent" includes biological or adoptive parents, legal guardians or surrogate parents, including foster parents who have fulfilled certain requirements. The LEA must ensure that the parent understands the proceedings of an IEP meeting and provide "informed" consent. Relevant information will be 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.

REFERRAL (Ed 1106)

Any student age 2.5 to 21 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 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 and any other relevant information the district provides to parents 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 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 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.
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 B, Complaint/Dispute Resolution Procedures. 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)

When 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 will be provided based on the suspected disability (or disabilities), and in accordance with the NH Rules. The child’s educational history shall be reviewed, including identification of the child’s past opportunities to have acquired important skills and information.

The district shall comply with state and federal laws and regulations relative to initial evaluations, evaluation procedures and re-evaluations, including the additional procedures required for evaluating children with specific learning disabilities.

Written parental consent is required in order for the district to conduct evaluations as a part of an eligibility determination. If parental consent for evaluation is not granted, the district shall have the authority to pursue dispute resolution processes. Written parental consent shall also be required for individual evaluations that are necessary to further diagnose the needs of a child who has previously been determined to be a child with a disability.

For initial evaluations, the process shall be completed within 60 calendar days after receipt of written consent from the parent. For reevaluations, evaluation will be completed within the 60 days’ timeline after receipt of parent consent to evaluate, or at the conclusion of any extension provided, not to exceed 30 days. Said extension may be granted upon written consent of the parties. A copy of this written agreement will be placed in the child’s confidential file with the signed permission to test.

If a child with a disability moves into the district from another NH district his/her disability identification will be honored without delay.

If the child is moving 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 Rules. 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 Rules, 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.

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.

Examiners shall be responsible for selecting current assessment tools that have been demonstrated to be reliable and valid. The district shall periodically review and consistently update test materials to the most current editions. Examiners shall be expected to use all test materials for their intended purpose. If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard condition must be included in the evaluation report. The district shall ensure that all evaluators are qualified according to the NH Rules. (See Table 1100.1) Each evaluator shall prepare a test report reflecting the data and their conclusions. Said reports 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 evaluation procedure, test, record or report, and contain information regarding the parents' rights to appeal in accordance with Ed 1123 and a description of the parents right to an independent evaluation in accordance with Ed 1107.03. The LEA shall provide copies of each examiners evaluation and assessment report at least 5 days prior to the meeting where said reports will be discussed. Reports can be sent via US mail unless parent and LEA agree upon another method.

DETERMINATION OF ELIGIBILITY OF A SPECIFIC LEARNING DISABILITY (Ed 1107.02)

It shall be the policy of the district to evaluate students suspected of having a specific learning disability in a manner consistent with the procedures and standards included in the district's Special Education Procedure Plan.

Upon the completion of the administration of tests, and other evaluation materials, a team of qualified professionals and the parent of the child will meet to review the results and recommendations of the evaluations and to determine whether the child is a child with a disability and that the child requires specialized instruction. At this meeting, team members will draw upon information from a variety of sources, including intellectual skills and achievement, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. They must ensure that the information obtained from all of these sources is documented and carefully considered. The team will complete a written summary containing the results of the various diagnostic findings and forward a copy of the report to the parent and maintain a copy for the child's records. The report shall include, at a minimum:

1. The results of each evaluation procedure, test record, or report;
2. A written summary of the findings of the procedure, test record, and/or report; and
3. Information regarding the parent's right of appeal in accordance with the NH Rules – Ed 1123 and a description of the parent's right to an independent evaluation in accordance with the NH Rules – Ed 1107.03.

The IEP team shall provide to parents, a copy of each examiners evaluation and assessment report at least 5 days prior to the meeting of the IEP team at which these

reports will be discussed. Said reports will be sent via the US mail unless the parents and the LEA agree, in writing, upon another method.

A child may not be determined to be eligible if the determining factor for that eligibility decision is lack of instruction in reading or math, limited English proficiency, or the child does not otherwise meet the eligibility criteria under state guidelines. If a determination is made that a child has a disability and needs special education and related services, a meeting to develop an IEP shall be conducted within 30 calendar days of the eligibility meeting.

Additional Procedures for Evaluating Children with Specific Learning Disabilities

The district's specific learning disabilities procedures and checklist known as the "Learning Disability Checklist", will be utilized to determine the existence of a Specific Learning Disability.

Evaluation requirements for Children with Specific Learning Disabilities (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); and
    3. Other alternative research-based procedures.

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.

When a child is suspected of having a specific learning disability, the district shall comply with the additional evaluation requirements for this disability category.

A. A group may determine that a child has a specific learning disability if:

    1. The child does not achieve adequately for his/her 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:

        - Oral Expression
        - Reading Fluency Skills
        - Listening Comprehension
        - Reading Comprehension
        - Written Expression
        - Mathematics Calculation
        - Basic Reading Skill
        - Mathematics Problem Solving

2. 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 his or her response to scientific, research-based intervention, or

3. 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 group to be relevant to the identification of a specific learning disability, using appropriate assessments, and

4. The group determines that the evaluation findings are not primarily the result of:
   - A visual, hearing, or motor impairment;
   - Intellectual Disability;
   - Emotional disturbance;
   - Cultural factors;
   - Environmental or economic disadvantage; or
   - Limited English proficiency.

The NHDOE clarifies that the initial evaluation of a child suspected of having a learning disability requires an intelligence test. Also required: academic achievement, observation, vision and hearing.

5. Teams must consider the student's achievement measured against expectations for the child's age and grade level standards/expectations set by the state.

B. In order 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 its evaluation:

    a. 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
    b. 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.

C. The district shall promptly request parental consent to evaluate the child to determine if the child needs special education and related services, and shall adhere to the established timeframes (unless extended by mutual written agreement of the child's parents and the district)

    a. if, prior to a referral, the child has not made adequate progress after an appropriate period of time when provided instruction; and
    b. whenever a child is referred for an evaluation.

Observation:

A. At least one team member other than the child's regular teacher shall observe the child's academic performance in the regular classroom setting.
B. The district must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.
C. In the case of a child of less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.

Written Report:

A. For a child suspected of having a specific learning disability, the documentation of the team's determination of eligibility shall include a statement of:

1. Whether the child has a specific learning disability;
2. The basis for making the determination;
3. The relevant behavior noted during the observation of the child;
4. The relationship of that behavior to the child's academic functioning; and educationally relevant medical findings, if any;
5. Whether the child does not achieve adequately for the child's age or to meet State approved grade-level standards; and the child does not make sufficient progress to meet age or State level standards, 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.
6. The determination of the team concerning the effects of visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English deficiency on the child's achievement level; and
7. If the child has participated in a process that assessed the child's response to scientific, research based intervention strategies, to include strategies used, data collected, strategies provided for increased learning, and parental rights to request an evaluation.

B. Each team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her concerns.

RE-EVALUATION

The district shall ensure that a re-evaluation of each child with a disability is conducted at least once every three years or sooner if the child's parent or teacher requests a re-evaluation.

The IEP team, including parents as active participants and other qualified professionals as appropriate, shall plan re-evaluations. The Team may determine that previous

assessments used to determine eligibility are still considered to be valid. Such decisions must be documented in the Written Prior Notice form.

INDEPENDENT EDUCATIONAL EVALUATIONS (Ed 1107.03)

Parents of a child with a disability have the right to obtain an independent educational evaluation at public expense if they disagree with an evaluation conducted by the district. If parents request an independent educational evaluation at public expense, the district shall either initiate a due process hearing to show that its evaluation is appropriate or ensure that an independent educational evaluation is provided at public expense, unless it has demonstrated at a hearing that the evaluation obtained by the parent does not meet the district's criteria.

The district may ask for the reason why parents object to the district's evaluation; however, the explanation shall not be required and the district shall not unreasonably delay either providing the independent educational evaluation at the public expense or initiating a due process hearing to defend the district's evaluation.

If a parent obtains an independent educational evaluation at private expense, the district shall consider the results of the evaluation if it meets the district's criteria. 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 district uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation. The criteria determined by the district must not be so restrictive that it effectively prohibits the parent's choices (Ed 1107.03(c)). Results of an independent evaluation obtained at parent's expense may be presented as evidence at a hearing regarding the child.

DEVELOPMENT OF THE INDIVIDUALIZED EDUCATION PROGRAM (IEP) (Ed 1109)

A meeting to develop an Individualized Education Program (IEP) for the child shall be conducted within 30 calendar days of a determination that the child needs special education and related services. For previously identified children with disabilities, the IEP must be in place at the beginning of the school year.

The district shall take steps to ensure that one or both of the child's parents attend each IEP meeting or are afforded the opportunity to participate. IEP meetings will be scheduled during the day at a mutually convenient time and place. The district shall ensure that parents of a child with a disability receive written notice no fewer than 10 calendar days before an IEP meeting is to occur, sent by US mail no later than 12 days prior to meeting. The notice shall include the purpose, time, location, and identification of the participants. The 10-day notice requirement may be waived with the written consent of the parent or upon the written request of the parent. If the parent is unable to attend a meeting, they may ask for it to be rescheduled or held in a different location. The district shall consider

alternative ways for the parent to participate if he or she is not able to physically attend a meeting, such as a telephone conference call. If for some reason parents cannot take part in scheduled meetings, documentation of the attempts made to include the parent shall be kept.

THE IEP TEAM (Ed 1103.01)

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

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

A team member may be excused from the whole or part of the meeting if the parent and the district agree the member's area of curriculum or related services is not being modified or discussed. The LEA must notify the other party 72 hours before a scheduled meeting or upon learning of the expected absence of a team member, whichever is earlier.

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

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

Team members may, at times, fulfill more than one role. IEPs shall be developed collaboratively and include all necessary components as designated in state and federal laws and regulations. Transition goals, vocational, career or technical education and/or other related services and/or supports shall be included in the discussion and incorporated into the IEP as appropriate. This includes transition to adult life as well as

transitions from grade to grade, school to school or from one agency to another. Necessary supports to ensure successful transitions will be documented.

When a vocational education component is being considered for a child with a disability, vocational assessment(s) shall be administered to the child by diagnosticians qualified as specified by the publisher of the assessment. The IEP team membership shall include an individual knowledgeable about the vocational program(s) being considered. If the IEP team determines that vocational education is to be provided, a vocational education component shall be included as an integral part of the IEP. Goals and objectives, as well as any appropriate accommodations and/or modifications, will be developed for the IEP unless the student will participate in the vocational class/program without the need for accommodations and/or modifications. Transition goals related to vocational programming will be reflected in the Individual Transition Plan and in the summary of the child's academic achievement and functional performance (completed before graduation from secondary school with a regular diploma or exceeding the age of eligibility for FAPE).

The district shall ensure that each child with a disability has access to appropriate instructional equipment and materials for the proper and timely implementation of the IEP, including assistive technology devices or aids.

The district shall provide each teacher and service provider listed as having responsibilities for implementing the IEP with a complete copy of the IEP for working and monitoring purposes. In addition, the district shall provide a private school or non- district provider responsible for implementing the IEP/ISP with a copy of the child's IEP/ISP on or before the first day of placement. The NH DOE interprets this to mean a paper copy.

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

1. all special education and related services provided;
2. any supplementary aids and services provided;
3. program accommodations and/or modifications made; and
4. supports provided for school personnel implementing the IEP.

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

If at any time subsequent to the initial provision of special education and related services, the parent of the child revokes consent in writing for the continued provision of special education and related services, the district:

- may not continue to provide special education and related services to the child;

- will provide a written prior notice before ceasing the provision of special education and related services;
- will not use the medication or due process procedures to obtain an agreement or ruling that services will be provided to the child;
- will not be considered in violation of the requirement to make FAPE available to the child; and
- need not convene an IEP Team meeting or develop an IEP for the child.

If a parent refuses to consent to the provision of special education and related services other than initial provision of such services, the district shall initiate a due process hearing.

At any time, the parent or district can request another meeting to discuss any areas of concern regarding provisions in the IEP.

IEP DEVELOPMENT FOR STUDENTS WHO TRANSFER

If a child with a disability who had an IEP that was in effect in a previous New Hampshire school district transfers to the district during the same year, the district shall consult with the child's parents and provide services comparable to those described in the child's IEP from the previous district, until it either adopts the previous IEP or develops, adopts and implements a new IEP for the student.

If a child with a disability transfers from a district outside of New Hampshire, the district shall additionally determine if an evaluation is necessary in order to complete the previously described IEP process for the new student. The district shall provide a free appropriate public education, including services comparable to those described in the child's IEP from the previous district during this process.

MONITORING AND ANNUAL REVIEW (Ed 1109.06)

The district shall develop and implement procedures to ensure that IEPs are monitored in a regular and systematic manner. Student progress shall be monitored continually so that adjustments can be made as needed to ensure that each student is progressing adequately toward the goals and benchmarks/objectives in his or her IEP. Progress shall be monitored in accordance with the IEP through a variety of means such as consultation, observation, work samples and post testing. Parents will be notified of their child's progress throughout the year at least as often as parents of children without disabilities are notified of their child's progress. If a student is not progressing adequately toward the goals and benchmarks/objectives in the IEP, a meeting shall be called to discuss possible IEP or program adjustments which may facilitate progress. Conversely, if a student has met or exceeded the goals and benchmarks/objectives in the IEP, the IEP will be amended to reflect new goals.

The IEP team may be reconvened at any time to review the provisions of the IEP. The district shall, upon a written request for an IEP team meeting, schedule a mutually agreeable time and date, convene the IEP team, or provide the parent/guardian/adult

student with written notice detailing why the district refuses to convene the requested meeting. All of the above must be completed within 21 days.

Both IDEA and NH Rules allow the parents and the district to agree to amend or modify the IEP without a meeting and to develop a written plan to amend or modify the IEP which must be shared with all IEP team members.

PLACEMENT OF CHILDREN WITH DISABILITIES

The district shall ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities shall be educated with children who do not have disabilities. Special classes, separate classes, separate schooling, or other removal of children with disabilities from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the uses of supplementary aids and services cannot be achieved satisfactorily.

IEP Team

The IEP Team (including the parents) shall make placement decisions in accordance with state and federal laws and rules. For each child with a disability, the IEP team shall include:

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

PLACEMENT DECISIONS (Ed 1111)

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

In making placement decisions, the IEP team shall:

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

The district shall offer a continuum of alternative learning environments from least restrictive to most restrictive. These learning environments shall range for regular classes to a home environment and shall be available for children with disabilities including children of preschool age. Supplementary services shall be provided in conjunction with regular class placement.

Each child's educational placement shall be reviewed annually and shall be based on his/her individualized education program (IEP). The placement shall be as close as possible to the child's home. If possible, a child with a disability shall be educated in the school he/she would attend if a disability did not exist. The least restrictive environment shall be selected with consideration given to any potentially harmful effects to the child or on the quality of services described in the child's individualized education program.

The district shall ensure that children with disabilities participate with non-disabled peers, to the maximum extent possible, in non-academic activities, such as recess, lunch and specials (art, music).

The district shall ensure that parents are afforded the same notification for placement meetings as they receive for IEP meetings, including a minimum of 10 days' notice, unless the 10-day notice requirement is waived in writing. Special education placements shall require written consent from parents prior to implementation, and shall be determined at least annually.

Graduation from high school with a regular high school diploma shall constitute a change in placement, requiring written prior notice and parental consent. Graduation from high school with a regular high school diploma does not however, require evaluations to discharge from special education services. A summary of performance shall be developed

by the student, IEP team and parents to facilitate information sharing after the student leaves school.

HOME INSTRUCTION (Ed 1111.04)

The district shall provide students with home instruction as follows:

1. Preschool students with disabilities may receive all or a portion of their special education program at home depending upon the need as specified in the IEP.
2. Children with disabilities ages 6-21 may receive a home instruction program. Such programs shall minimally include 10 hours per week of specially designed instruction as specified in the student's IEP and may also include educationally related services as specified in the child's IEP. Related services to be provided shall be in addition to the 10 hours of specially designed instruction. Services shall be implemented by qualified personnel. Placement is determined at least annually and is based on the child's IEP.
3. Home instruction for children at least 6 years of age but less than 21 years of age shall offer access to the general curriculum and allow students to participate with non-disabled children to the maximum extent appropriate to the need of the student.
4. Home-based programs described in Ed. 1111.04(c) shall not include parent designed home education programs.
5. Length of school year and school day shall be consistent with RSA 186-C:15.
6. A child with a disability who is in a hospital or institution may receive special education or special education and educationally related services in that setting.

EXTENDED SCHOOL YEAR SERVICES (ESY) (Ed 1110)

Extended school year services are special education and related services provided to a child with a disability beyond the normal school year and in accordance with the child's IEP, and at no cost to the parents of the child. The district shall ensure that ESY services will be available as necessary to provide each child with a disability a free, appropriate public education.

The child's IEP team shall determine the child's need for extended school year services. The district shall not limit extended school year services to particular categories of disability or unilaterally limit the type, amount or duration of those services of those services. The district shall provide extended school year services at times during the year when school is not in session, if determined by the IEP team to be necessary for the provision of FAPE, and shall not limit ESY services to the summer months.

ESY services provided in non-special education or non-district programs shall be supervised on site by appropriately certified LEA personnel no less that once a week. The certification requirements for ESY personnel are the same as during the school year.

PARTICIPATION IN STATE AND SCHOOL WIDE ASSESSMENTS

The district Administrator will develop and manage an assessment program that provides ongoing evaluation of the effectiveness of the curriculum on improving student performance. This program will include both local and statewide assessment tools. Students with disabilities will be provided the opportunity to participate in all student assessments. Any modifications in administration will be made and documented during the student's IEP development.

CONTINUUM OF EDUCATION ENVIRONMENTS

The following is a list of the educational environments to be considered when making placement decisions after agreement to the Individualized Education Program (IEP). The IEP Team shall keep in mind that all children with disabilities must be placed in the least restrictive environment for implementing the student's specialized instruction as detailed in their IEP.

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.

Table 1100.3 Continuum of Alternative Learning 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.

PARENT INVOLVEMENT

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

A Brief Overview of the Special Education Process Information for Parents Referral is attached in Appendix C.

SURROGATE PARENTS

If a child with a disability is in need of special education and the parent or guardian is unknown or cannot be located after reasonable efforts are taken to find said parent, or if the child is in legal custody of the division of children, youth and families, the commissioner or designee, shall appoint a surrogate parent who shall represent the child in the educational decision making process.

In the case of a child who is in legal custody of the division of children, youth and families and a judge is actively overseeing the child's case pursuant to the Individuals with Disabilities Education Act, 20 U.S.C section 1415(b)(2)(A)(i), the judge may appoint a surrogate parent. The appointed surrogate parent must meet the requirements for selection of surrogate parents pursuant to Ed 1115.06.

In the case of a child who is an unaccompanied youth as defined in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. section 11434a(6), the school district shall appoint a surrogate parent on a temporary basis. The appointed surrogate parent must meet the requirements for selection of surrogate parents pursuant to Ed 1115.06.

Any employee of an LEA, the department, or a residential school or hospital, any physician, any judicial officer, or any other person who knows or believes that a child's parent is not known, or is not able to be located, or that the child is under legal of DCYF, or any person who knows or believes that a court has issued a written order for a surrogate parent, shall initiate the appointment of a surrogate parent, pursuant to Ed

1115.02(b) by contacting the district Building Coordinator of Special Education or by calling the SAU special education office.

The district will then initiate the appointment of a surrogate parent, pursuant to Ed 1115.02. The process for appointment of a surrogate parent shall be initiated by submitting a written referral to the district's superintendent of schools or the special education office. A copy of the referral shall be sent to the commissioner of education or the commissioner's designee.

Section 9
Program Evaluation
Ed 1126.01(b)(9)

The Littleton School District is 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' unique needs are met.

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 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 "Special Education Onsite Compliance and Monitoring Review" process.

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 the 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 and diagnostic reevaluations
- IEP progress reports
- Report cards
- Input from parents
- Student movement from more restrictive to less restrictive educational settings

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 district ensures 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. All students in grades 3, 4, 5 6, 7, 8 and 11 will be assessed for ELA and Math, and grades 5, 8, and 11 will be assessed in Science.

Decisions about accommodations are determined by IEP teams and are specified in each student's IEP. Students currently identified by their IEP teams as appropriate for accommodations or for the alternate statewide assessment based upon alternate achievement standards will be included in New Hampshire's Alternate Portfolio Assessment of English, Language Arts and Mathematics, also known as: NH-DLM. (Dynamic Learning Maps).

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 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.

The following strategies are included in those utilized to assess general program effectiveness in the special education department:

- Parent Surveys as collected through compliance with Indicator 8
- General Staff Input
- Special Education Building Coordinators Staff Meetings
- Professional Development Needs
- New Hampshire Special Education Information System data
- DOE Annual District Data Profile based on Indicators 1-17 of the State Performance Plan and DOE district Determinations

The above information will be used to identify program needs, training needs and any gaps in services that may exist. Systemic changes for the upcoming school year will be considered and planned for, based on the information gathered. 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 a summative evaluation. The district ensures that all staff may continue to improve their knowledge and skills in order to effectively meet the needs of all students.

NH Department of Education Special Education Monitoring

The findings and recommendations from an external “Special Education Onsite Compliance and Monitoring Review” conducted by the NH Department of Education, will be carefully considered and addressed by all members of The Littleton School District Administrative Team. 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 10
CHILDREN W/ DISABILITES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOLS
Ed 1126.01(b)(11)

The Littleton School District has procedures in place that are designed to ensure the equitable participation of children with disabilities who are enrolled by their parents in private schools that are located within the jurisdiction of the 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).

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

Child Find

The district must locate, identify and evaluate all children with disabilities attending all private schools, including religious schools, within the geographic boundaries of the district. Private schools must be approved as "elementary" or "secondary" schools as listed in NHSEIS.

On an annual basis, 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 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 to the NH Department of Education on an annual basis.

A **"Notice to Parents of Private School Children"** is distributed to local newspapers 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.

Consultation

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. For-profit private schools are not entitled to any special education 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 rationale of the district's decisions.

Provision of Services

Services to parentally placed private (non-profit) 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 highly qualified special education teacher requirements.

Section 11
INSTRUCTIONAL MATERIALS IN ACCESSIBLE FORMAT
Ed 1126.01 (b)(12)

The Littleton School District ensures that reasonable steps have been taken to provide children with disabilities who need instructional materials in accessible formats will receive those materials, as set forth in their IEP's and/or dictated by their disabilities, at the same time non-disabled children receive their instructional materials. Such materials may include, but are not limited to, Braille texts, books-on-tape, specialized software, etc.

NIMAS is contacted, with parental permission, through the IEP process, and as dictated by each individual IEP, for the required instructional materials in accessible format, in a timely manner.

Section 12
OTHER AGENCIES

It is the practice of the Littleton School District 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 Superintendent, Director of Student Services, Building Administrators, and/or Special Education Case Managers.

The Superintendent, Director of Student Services, Building Administrators, and/or Special Education Case Managers 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 Section 2, Child Find of this manual.

Children Placed in Homes for Children, Health Care Facilities, or State Institutions (Ed 1117)

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 said students are not covered elsewhere. The district shall assure compliance with all regulations and procedures established under the NH Rules – Ed 1105.03.

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 the 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.

Section 13
APPENDIX AND OTHER RESOURCES

Appendix A
DISCIPLINE PROCEDURES
Ed 1124
34CFR 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 his or her 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 is used for 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.

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 IEP goals, and the location in which the services will be provided.

School personnel may consider unique circumstances on a case-by-case basis 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

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:

1. Conduct a functional behavioral assessment and implement a behavioral intervention plan for the child, or
2. 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
3. Except under "special circumstances" return the child to the placement from which he/she 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.

* Serious Bodily Injury: 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 Littleton School District 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 procedures 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.

The district has instituted procedures for manifestation determination meetings. Additionally, a functional behavior assessment shall be conducted and/or reviewed as required.

Appendix B
DISPUTE RESOLUTION
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 Littleton 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 (http://www.education.nh.gov). Use of this form is not required, but all complaints must:

1. Be in writing and signed, including contact information for the signer;
2. Include a statement that the school district has violated a state or federal requirement regarding the education of a child with a disability under Part B of the Act or 34 CFR 300; and
3. Contain the facts on which the statement is based; and
4. Allege a violation that occurred not more than one year prior to the date the complaint was received; and
5. The complaint must indicate how the complaining party would like to see this complaint resolved.
6. A copy of the complaint must be sent to the district.

Complaints shall be directed to:

Commissioner of Education
Attn: Special Education Complaints Office
101 Pleasant Street
Concord, NH 03301

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.

Alternative Dispute Resolution Procedures
Ed 1122

The Littleton School District 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 work 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:

Facilitated Special Education Team Meetings

Facilitation of a special education team meeting is a free service offered by the NH Bureau of Special Education upon request by the district or parent. A trained facilitator is sent by the Bureau to attend and conduct a regular special education team meeting scheduled and arranged by the district. The facilitator has no “interest” in the content or the outcome of the meeting; he/she is there to conduct the meeting and keep it moving forward. Facilitators are volunteers from various fields who receive training through the Department of Education.

The school district will apply rules of confidentiality to any Facilitated IEP meeting. Any discussion held during that team meeting must be kept confidential and cannot be used in a due process hearing unless the parent and district agree otherwise.

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 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 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

This is the most formal process with 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, 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 due process, the district will schedule a resolution session.

Requests for a due process hearing must be made in accordance with state statutes of limitations. The following is a brief list of the important time limits:

- 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.
- A parent must request a due process hearing within 90 days of a unilateral placement in order to recover the costs of the unilateral placement.
- Any appeal of a Hearing Officer's final decision must be filed in either state superior court or federal court within 120 days from the receipt of the final Hearing Officer decision.
- A parent must file any action to recover their attorneys' fees and reasonable court costs in state superior court or federal court within 120 days from the receipt of the final Hearing Officer decision.

Appendix C

Littleton School District
Brief Overview of the Special Education Process
Information for Parents

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.

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

Littleton School District Kelly Noland, Director of Student Services 65 Maple Street Littleton NH 03561 603-444-3014

Individualized Education Program

The Littleton 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, note 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 Littleton School District takes 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 procedures 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:

- 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.

IEP Team

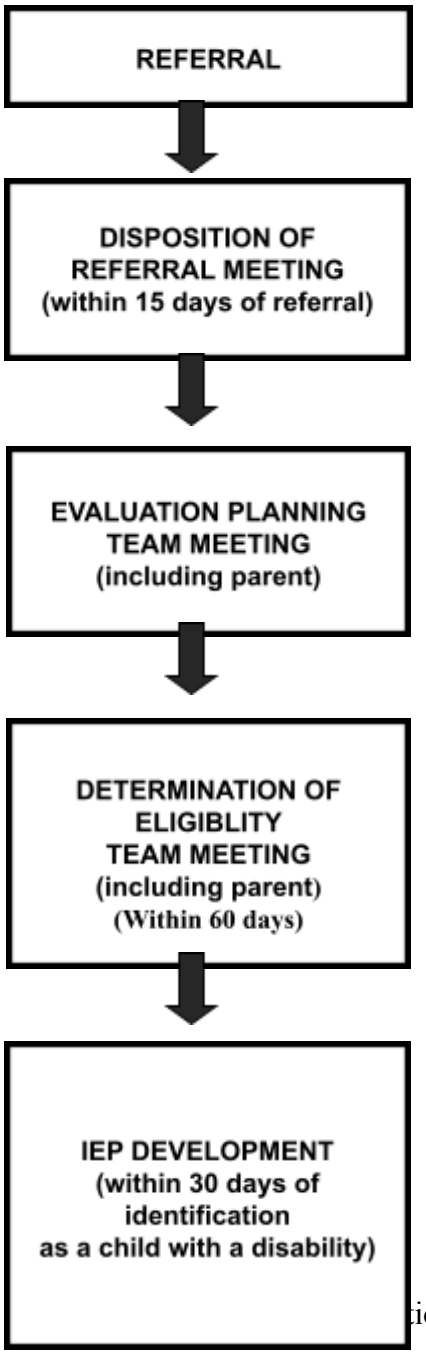
Certain individuals must be involved in writing a student's Individualized Education Program (IEP). An IEP team member may fill more than one of the team positions if properly qualified.

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 on 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



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

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

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

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

- **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**



PLACEMENT



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

REGULAR MONITORING OF THE IEP (Annual)



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

ANNUAL REVIEW OFTHE IEP

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

Appendix D

SAU 84 Transition from Early Support and Services to the District Preschool Program

The Littleton School District ensure that all children who have disabilities that require specialized education or related services, starting on the child's third birthday to 21 years of age, receive a free and appropriate public education. In order to ensure that each student receives this education, as entitled to under the Individuals with Disabilities Act of 2004 and the NH Rules for the Education of Children with Disabilities, the district will follow the procedures outlined here. These procedures will be followed collaboratively with providers of early supports and services as outlined in the written Interagency Agreement between Littleton School District and Early Supports and Services (ESS).

1. Work collaboratively with ESS providers to ensure the steps of the transition process are followed in as timely a manner as possible for any child referred by ESS after the
age of two.

2. Once the referral has been received from the ESS program, the referral will be acted upon in the following manner:

   a. A file will be created for this child.
   b. Within fifteen business days of the receipt of the referral from an ESS program service coordinator, regardless of the age of the child, the Student Services Administrator/Preschool Coordinator will schedule and conduct a disposition of referral meeting. This IEP Team meeting will include the family and appropriate members of the IEP team. The ESS program service coordinator will be invited to this meeting by the School District. The meeting may take
      place at the Littleton School District or virtually.

      In the event that the parent does not attend, the meeting will be held. Parents will be provided with a copy of the current New Hampshire Special

Education Procedural Safeguards Handbook at this meeting or it will be mailed if they are not in attendance.

c. Parents will be provided by the Northumberland School District Written Prior Notice (WPN) of all proposals/refusals so that they may make informed decisions. Parents will be given 14 calendar days, as required by law and outlined in the New Hampshire Rules for the Education of Children with Disabilities, to make decisions about any proposal by the IEP team.

d. Verify that the child's electronic record is available in NHSEIS.

3. Disposition of Referral Meeting (held within 15 business days of receipt of referral):

a. The IEP team, which includes the family, will meet and discuss the child's development, current services, current evaluation results (if applicable) and concerns of the family and ESS providers.
b. The IEP team will determine whether the concerns raised by the referral can be addressed using existing pupil support services available to all children, whether additional information is required, and what testing, if any, is needed to address any remaining concerns raised by the referral.
c. If the IEP Team agrees that recent ESS evaluation results (dated within one year and conducted by qualified examiners as defined in ED 1107.04), and other information provided to the team, are an accurate representation of the child's current skills, the IEP Team may choose to accept the results.
d. ***Or*** if the IEP Team does not agree that the available evaluation results accurately represent the child's current skills or if there is no data then they may recommend further evaluations to determine eligibility and identification.
e. The IEP team may determine that, based on the age of the child at the time of referral and that they are currently receiving ESS services, the IEP Team will reconvene at a date closer to the child's third birthday, but not less than 110 days before the third birthday, to determine what, if any, evaluations are necessary.
f. If further evaluation is recommended, the school district will request and obtain parents' written permission to conduct specified evaluations.
g. Data entered into NHSEIS

4. Evaluation

a. The school district has 60 calendar days from the date written parental permission is received to complete the evaluation, summarize the findings then conduct a meeting to review the results.

b. The school district will provide parents with copies of each examiner's evaluation and assessment reports(s) via mail (unless the parent agrees and the

district agrees to another method or the parent waives that right in writing) at least 5 days prior to the IEP Team meeting.

c. Data entered into NHSEIS

5. Eligibility for special education will be determined.

a. The special education process, including disposition of referral, evaluation and eligibility determination, will be conducted with the understanding that all enrollment required documents are being obtained as part of that process. If there is an instance where it is suspected that documents will not be obtained prior to the development of the IEP, administration should be contacted as soon as possible so that alternate means may be considered to ensure that the district is able to fulfil its obligations to provide the child with a free appropriate public education in the timelines set forth in the IDEA and NH Rules for the Education of Children with Disabilities.

b. Data entered into NHSEIS

6. Development of the IEP:

a. The IEP team will write an Individual Education Program (IEP) within 30 days of the child being determined eligible for services and at least 15 days before his/her third birthday. The ESS Service Coordinator will be invited to the IEP Team meeting. The plan will be based on information and data obtained from parents, ESS service providers, observations, evaluations, and additional data as appropriate.

b. The IEP will document the supports and services necessary to provide the child with a free and appropriate public education.

c. Once these supports and services have been agreed upon and approved by the parent, the placement where these supports and services will be provided will be determined. The placement will be based upon the Least Restrictive Environment (LRE) where services as listed in the IEP can be delivered. The
LRE is a continuum of learning environments as described in state regulation Ed.1111.03 and federal regulation 34 CFR 300.115.
d. Data entered into NHSEIS.

7. Implementation of the IEP before the child's third birthday:

   a. The IEP will be completed, agreed upon and signed by the LEA representative (Local Educational Agency representative) and the parent before the child's third birthday.

   b. Data entered into NHSEIS

8. Children with summer birthdays:

   a. The district will ensure that a signed IEP is in place by the date of the child's third birthday regardless of when that date is.

   b. A summer birthday is defined as the date of or after the last day of the scheduled preschool year and on or before the first day of scheduled preschool.

   c. With agreement from the family, the IEP Team may choose to complete eligibility determination and develop the IEP (if applicable) for a child with a summer or early fall birthday, prior to the end of the previous school year.

   d. Regardless of when a child's third birthday is, per state and federal law, an IEP must be agreed upon with a date to begin the provision of special education and related services, by both the LEA and the parent before the child's third birthday. The start date for provision of special education services may be a date after the third birthday as determined by the IEP team.

9. Participation in the ESS Transition Conference

   a. As required by ED 1105.04(d), a representative of the school district shall participate in the Transition Conference coordinated by Early Supports and Services.

Appendix E
Procedural Safeguards

New Hampshire Special Education Procedural Safeguards Handbook is based on the Individuals with Disabilities Education Act of 2004 and the New Hampshire Rules for the Education of Children with Disabilities adopted March 23, 2017, amended June 14, 2018, amended August 9, 2018 (NH Standards). A copy is available on the NH Doe/Special Education website: www.education.nh.gov/instruction/special_ed/proceduralsafeguards.htm or at each Littleton school building and at SAU #84 office.

The New Hampshire Special Education Procedural Safeguards Handbook has been translated into many languages and these are available on the NH DOE/Special Education website or through The Littleton School District schools and office.