

# An Overview of the New Hampshire Special Education Process

For More In Depth Information Contact: The Parent Information Center ~ [www.picnh.org](http://www.picnh.org) ~ (603) 224-7005 or (800) 947-7005 or email [info@parentinformationcenter.org](mailto:info@parentinformationcenter.org)

**1 Referral to Consider Special Education**

Anyone, including a parent may refer a child to be evaluated for special education.

If the parent makes a referral, they should write a letter, include the date and keep a copy for their records.

If the referral is made by anyone other than the parent, the parent must be notified in writing immediately.

**2 Decision Making Meeting (Disposition of Referral)**

After the school receives a referral, they must schedule a meeting, to include the parents, within 15 calendar days. The Individual Education Program (IEP) team meets to determine if the child's needs can be met through regular education services or if the child should be evaluated for special education. Written parental permission is needed before the school can evaluate.

**Early Intervening Services**

Schools may choose to provide services to children in grades K-12 who have not been identified as needing special education but who need additional academic and behavioral support to succeed in the general education environment.

These services may include:

- Supplemental or remedial reading program
- Behavioral plan
- Additional assistance
- Tutoring

**3 Evaluation and Eligibility**

Once the team determines a child needs to be evaluated for special education, they meet to determine what additional testing is needed.

After receiving written permission from the parent, the school district will evaluate the child to determine eligibility & educational needs. The evaluations must be completed within 45 days.

If the parent disagrees with the school's evaluations, they may request an independent evaluation at public expense or they may pay for their own independent evaluation.

Based on the evaluation results, the IEP team decides if the child is eligible for special education & determines a disability classification. To be eligible, the child's disability must negatively impact their educational performance.

**4 Development of the Individualized Education Program (IEP)**

Within 30 days after a child is found eligible for special education, the IEP team meets to develop the IEP.

The IEP is reviewed/ revised annually, and must be in place at the start of each school year.

The parent has 14 days to sign the IEP. They may choose to agree, agree with exceptions or disagree.

**5 Determination of Educational Placement**

After the IEP has been signed by the parent & the school district, the IEP team determines the child's educational placement to implement the IEP.

Placement options may include a variety of settings but must be in the child's Least Restrictive Environment (LRE). LRE means the child will be educated in the regular classroom unless their needs cannot be met in that setting.

**6 Monitoring**

The IEP includes a statement of how the child's progress towards the annual goals will be measured and when it will be reported. The parent should ask for an IEP meeting if they have concerns about their child's progress.

Each year, the IEP team must meet to review and revise the IEP.

A child is formally reevaluated at least once every 3 years, unless the parent and school district agree it is not needed or a parent requests it.

**Some Additional Parental Rights**

- Participate in all meetings
- Give or withhold written consent
- Access their child's educational records
- Be notified about important decision regarding their child's education (Written Prior Notice)
- 10 days written notice of IEP meetings
- Receive information in a way that is understandable
- Be provided with an interpreter or translator, if needed
- File a complaint, request mediation, request due process hearing or a neutral conference