##### Section 3

##### FACILITIES, PERSONNEL & SERVICES

**Ed 1126.01 (b) (3)**

The Litchfield 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 shall have valid New Hampshire Special Education certification.
* Additionally, special education teachers within the District, who teach in specific academic areas, must meet highly qualified teacher requirements for their respective regular education teaching assignments, as designated by federal and state guidelines.

**(Tables 1100.3 and 1100.4: Continuum of Alternative Learning Environment; p.69, Ed.1111 Placement of Children with Disabilities)**

The District provides educational services to students with disabilities along a continuum of environments including the following:

**Regular Classroom**

* A child with a disability attends the regular class with supports and services as required by the IEP

**Regular Classroom with Consultative Assistance**

* A child with a disability attends the regular class with assistance being provided to the classroom teacher by consulting specialists.

**Regular Classroom with Assistance by Specialists**

* A child with a disability attends the regular class with direct services provided by specialists or paraprofessionals working under the direction of professional teaching staff.

**Regular Classroom plus Resource Room Help**

A child with a disability attends the regular class and receives assistance in the Resource Room Program.

* When the regular education setting, with accommodations, modifications, supplementary aides and services is inadequate to meet the needs of a student with a disability, the student may receive assistance (by team agreement) in a resource setting within the public school system for a portion of the school day.
* The student can spend no more that 60% of the school day in this setting.
* Instruction provided in the resource setting will ensure each student continued access to the general curriculum.
* The total number of students with disabilities being served in the resource room at any given time shall not exceed 12 students without the assistance of support personnel. The maximum number of children in a Resource Room shall not exceed 20 (Ed 1113.10(f)(4). The District shall ensure that the resource settings are staffed with personnel who meet state certification requirements and federal ‘Highly Qualified Teacher” requirements as applicable.

**Regular Classroom plus part-time special class**

* A child with a disability attends a regular class and a self-contained special education classroom

**Self-contained Special Education Class**

* A child with a disability attends a special education class for more than 60% of their day.
* The class is organized either by the needs of the students or by the degree of severity of the disability.
* Self-contained special education classes serve students according to chronological age with a range of not more than four years.
* The number of students in a self-contained classroom can not exceed 12.
* A minimum teacher-student ratio of 1:8 or 2:12 shall be provided unless the severity of disabilities warrants the assignment of additional staff. Maintaining this ratio can be accomplished through the assignment of two teachers or a teacher and a paraprofessional. [Ed. 1113.10(e) (i)]

**Full-time or part-time special day school**

* A child with a disability attends a public or privately operated special day program full-time or part-time

**Full-time Residential Programs**

* The child attends a privately or publicly approved residential program on a full-time basis.

**Home Instruction**

* A child with a disability receives all or part of his/her education at home.

**Hospital or Institution**

* A child with a disability receives special education while in a hospital or institution.

**Preschool Programs (Table 1100.3: Continuum of Alternative Learning Environments Pre-school)**

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

The maximum number of preschool children in an early childhood special education program shall be **12,** regardless of the number of staff members assigned to the program (Ed 1113.10 (d) (3).

* **Early Childhood Program:** a preschool child with a disability attends an early childhood program
* **Home:** a preschool child with a disability receives some or all of his/her supports and services in the child’s home
* **Special Education Program:** a preschool child with a disability attends a special education program
* **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

**Home Instruction for School Aged Children (Ed 1111.05)**

A child with a disability receives all or a portion of his/her special education program at home in accordance with Ed 1111.05.

* Home instruction for children at least six years of age but less than 21 years of age shall include no fewer than ten hours per week of specially designed instruction as specified in the child’s IEP so that the child will progress in the general curriculum and meet IEP goals.

* Home instruction will include related services in addition to the ten hours of specially designed instruction and will be delivered in accordance with the NH Rules.
* Home-based programs shall not exceed 45 days in a school year unless individual circumstances warrant an extension to this time period. If the IEP team determines that home instruction should be implemented for more than 45 days of a school year, the District will complete the following requirements:

1. Describe, in writing, the specific circumstances resulting in the need for the home instruction;
2. Develop an IEP which includes all the required elements; and
3. Develop a written plan of the transition of the child into a less restrictive environment.

* Home instruction shall NOT include parent designed home education programs as authorized in Ed 315.
* Home instruction shall be implemented by personnel qualified in accordance with 34CFR300.156 and Section 2122 in the ESEA.

**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, consistent with the provisions of RSA 189:1, 189:2, 189:24, and189:25 and Ed 306.18-306.21.

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 minimums hours listed above, written consent shall be obtained from the Superintendent of Schools and the parent prior to implementing a shortened school day. A copy of the written consent shall be sent to the State Director of Special Education, a copy 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 (Ed.1113.14) of at least 180 days or the equivalent number of hours per ED1113.15. Students with disabilities in need of extended school year programming shall be provided for through the requirements described in Section 9 – 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 Special Education, 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. Paraprofessional performance will be evaluated through a performance review process at least annually.

**Diplomas**

The Litchfield School 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 Campbell High School diploma (Ed. 306.27 (f) *High School Curriculum, Credits, Graduation Requirements*) 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 Campbell High School diploma. A regular diploma shall be issued to all students who:

1. Successfully achieve the minimum number of 24 credits;
2. Meet specific course requirements as described in the Campbell High School Program of Studies; and
3. Meet all attendance requirements as stated in the ­­­­­­­Campbell High School Program of Studies (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 General Educational Development credential (GED). Any student who receives a diploma/certificate other than the District’s regular high school diploma remains eligible to receive a free appropriate public education until he or she reaches age twenty-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.

**FACILITIES ARTIFACTS:**

* District Program Descriptions
* New Hampshire Approved Private Special Education Programs
* NH Department of Education: Program Approval/Focus Monitoring Website:
* Continuum of Alternative Learning Environments-Tables 1100.3 (Preschool) and 1100.4 (Ages 6-21)
* Special Education Staff Roster
* Forms:
* Extended School Year Eligibility Determination and Detail Page
* Parent Response to Special Education Proposal
* Individual Education Program (IEP)
* New Hampshire Code of Administrative Rules, Part 306