

# An Overview of the New Hampshire Special Education Process

For more in depth information contact The Parent Information Center on Special Education ~ [www.nhspecial.ed.org](http://www.nhspecial.ed.org) ~ (603) 224-7005 or (800) 947-7005 or email [info@nhspecial.ed.org](mailto:info@nhspecial.ed.org)

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## 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 school must immediately notify the parent in writing.

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## Decision Making Meeting (Disposition of Referral)

The school must schedule an Individualized Education Program (IEP) team meeting, which includes the parent, within 15 calendar days after receiving a referral. This meeting is called the disposition of referral meeting. At this meeting the IEP team will determine whether the child's needs can be met through regular education services (including the use of regular education interventions) or if the child should be evaluated for special education. Written parental permission (consent) is needed before the school can evaluate.

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## Evaluation

When the IEP team determines a child needs to be evaluated for special education, they will also decide what testing is needed.

After receiving parental consent, the school district will evaluate the child to determine eligibility & identify the child's educational needs. The evaluations must be completed within 45 calendar days. Parents may agree in writing to one 15 day extension.

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

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## Eligibility

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 his/her educational performance and require specialized instruction.

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## 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/revise annually, and must be in place at the start of each school year. The parent has 14 calendar days to sign the IEP. They may choose to agree, agree with exceptions or disagree.

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## 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 is to be educated in the regular classroom unless his/her needs cannot be met in that setting.

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## Monitoring

The IEP includes a statement of how the child's progress towards the annual goals will be measured and when and how it will be reported to the parents. Parents should ask for an IEP meeting if they have concerns about their child's progress. The IEP team must meet to review and revise the IEP at least once each year. 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 a reevaluation sooner.

## Some Additional Parental Rights

- Participate in all meetings as a member of the IEP team
- Request an IEP meeting and have the meeting held within 21 days or be given written prior notice as to why the school will not schedule the meeting
- Give, withhold or revoke written consent
- Access their child's educational records
- Be notified about important decision regarding their child's education (Written Prior Notice)
- Receive written notice of IEP meetings 10 days before the meeting
- Receive information in a way that is understandable, including being given an interpreter or translator, if needed
- Request and be given access to information 5 days prior to an IEP meeting
- File a complaint, request a facilitated IEP meeting, mediation, a neutral conference or a due process hearing



