

Policies for Review - 1st Reading

May 1, 2023

BEDH - Public Participation at Board Meetings

IHBA - Programs for Pupils with Disabilities

IHBA-P- Requirements for the Development and Operation of Programs for Students with Educational Disabilities

IHBAB - Child Find

Current GSD. Suggest updating to reflect the passage of RSA 189:74.

3-10-2023 Policy Committee

4-3-2023 First Reading

4-14-2023 Policy Committee

5-1-2023 First Reading

PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board encourages citizens of the district to attend its sessions so that they may become better acquainted with the operation and programs of the schools and that the Board may have the opportunity to hear the comments and suggestions of the public. ~~The board, however, reserves the right to meet in non-public session in accordance with RSA 91-~~

Consistent with RSA 189:74, the Board will provide the opportunity for members of the public to comment on school district matters at all Board meetings with the exception of emergency meetings called under RSA 91-A:2, II, or at meetings for which the sole purpose is to address one or more issues in non-public session under RSA 91-A:3.

In order to assure that persons who wish to appear before the Board may be heard ~~and, at the same time while~~, conducting its meeting properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at board meetings.

1. The chairperson shall designate a portion of each agenda for public input purposes.
2. Any individual desiring to speak shall give ~~his or her~~ **a or their** name, address, and the group, ~~if any, that he/she represents.~~ **they represent, if any.**
(Language used in other district's policy: In order to comply with minute requirements of RSA 91-A:2, II, speakers shall identify themselves clearly for the record.)
3. The presentation should be as brief as possible. The Board reserves the right to place time limits on any presentation.
4. Speakers may offer comments, suggestions, or objective criticism of school operations, policies, and programs.
5. The Board will not hear complaints against any person connected with the school system. Other channels provide for board consideration and disposition of legitimate complaints involving individuals.
6. **The Board will provide a minimum of thirty minutes to hear public comment at each meeting.**
7. **Individual speakers will be allotted three minutes per person and each speaker will be permitted equal time.**

The Board vests in its chairperson or other presiding officer authority to terminate the remarks of any individual when they do not adhere to the rules established above.

~~Persons appearing before the Board are reminded, as a point of information, that Members of the Board are without authority to act independently as individuals in official matters. With the approval of the chairperson, a question may be answered by an individual Board member or administrator.~~

Legal Reference:

RSA 91-A:2, Meetings Open to Public

RSA 91-A:3, Non-Public Sessions

(Adopted: 2/18/91

(Revised: 9/12/98, 4/4/05, 6/6/05, 10/2/17)

(Ref. 9120)

Current GSD policy revised to reflect SB 394 and HB 1513 which both amend the definition in RSA 186-C:2 of "child with a disability" to include such children until they reach the age of 22.

4-14-2023 Policy Committee

5-1-2023 First Reading

PROGRAMS FOR PUPILS WITH DISABILITIES

The District shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the district, required under the Individuals With Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, and New Hampshire Law.

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the district shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in federal and state statutes, which govern special education. For those students who are not eligible for services under IDEA, but, because of a qualifying disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the district shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, educational safeguards and educational placement. This system shall include notice, and opportunity for the student's parent(s)/guardian(s) to examine relevant records, and impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), and representation by counsel, the right to be represented by legal counsel and review procedure.

The district recognizes its obligation to provide an education for all students determined to be educationally disabled and in need of special education and related services. This obligation shall begin when a student reaches three years of age and shall continue until the student's ~~24st-~~ **22nd** birthday or until ~~such time as he/she receives~~ **receiving** a high school diploma, whichever occurs first, or until the child's Individualized Education Program (IEP) Team determines that the child no longer requires special education in accordance with federal and state law. At the discretion of the Superintendent ~~and/or his/her~~ designee, students who reach the age of ~~24~~ **22** during the academic year may be allowed to complete the remainder of the school year.

Legal References:

20 U.S.C. § 1400 et seq., Individuals with Disabilities Education Act

34 C.F.R. § 300 et seq., Assistance to the States for the Education of Children with Disabilities

RSA 186-C, Special Education

N.H. Code of Administrative Rules, Section Ed. 1100, Standards for the Education of Students With Disabilities

(Adopted: 8/12/80)

(Revised: 9/9/80, 5/16/83, 7/27/83, 3/84, 4/7/86, 4/5/99, 3/4/02, 4/20/09)

Current GSD policy revised to reflect SB 394 and HB 1513 which both amend the definition in RSA 186-C:2 of "child with a disability" to include such children until they reach the age of 22.

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REQUIREMENTS FOR THE DEVELOPMENT AND OPERATION OF PROGRAMS FOR STUDENTS WITH EDUCATIONAL DISABILITIES

Programming in Regular Class Environments

- When students with educational disabilities participate in regular education classes or programs, the integrity and appropriateness of the curricula of the classes or programs shall be maintained for both the students with educational disabilities and the students who do not have educational disabilities. Prior to the participation of a student with educational disabilities in a regular class or program, the local education agency shall, based on the student's individualized education program, identify any expectations for the student with disabilities that are different from the range of expectations for other students and shall, according to the nature and severity of the student's disability, provide the student and/or teachers with additional help.
- Establishment of Education Programs for Students with Educational Disabilities as required by RSA 186-C:10, *"A school district shall establish an approved program or programs for educationally disabled children, or shall enter into cooperative agreements with other school districts to provide approved programs for students with educational disabilities, or shall pay tuition to such an approved program maintained by another school district or by a private organization. Eligibility for participation in an approved program of special education shall be determined by the school board of the school district, in accordance with Chapter Ed. 1100."*
- Each program maintained by a school district, private organization, or another governmental agency shall provide for interaction with students of similar age and/or development who do not have educational disabilities to the maximum extent appropriate considering the nature and severity of the educational disability.

Curricula

- The local education agency shall ensure that, to the maximum extent appropriate, every student with educational disabilities has full access to the district's full elementary and secondary curricula, including vocational training. To the extent that the district's curricula require modification to meet the unique needs of students with educational disabilities, the local education agency shall adapt equipment, modify instructional materials, and use interpreters. However, the student's individualized education program shall not be considered as a complete or total curriculum for a special education program.

Diplomas

- The school board shall ensure that all students with educational disabilities have equal opportunity to complete a course of studies leading to a high school diploma.

Current GSD policy revised to reflect SB 394 and HB 1513 which both amend the definition in RSA 186-C:2 of “child with a disability” to include such children until they reach the age of 22.

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Supervision and Administration

- Students with educational disabilities shall be entitled to continue in an approved program until such time as the student has acquired a high school diploma or has attained the age of ~~21~~ **22**, whichever occurs first, or until the school district responsible for developing the student’s individualized education program determines that the student no longer requires special education in accordance with Ed. 1107.07.

(Adopted: 3/4/02)

(Reaffirmed: 4/2/2012)

Current GSD policy revised to reflect SB 394 and HB 1513 which both amend the definition in RSA 186-C:2 of “child with a disability” to include such children until they reach the age of 22.

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CHILD FIND

In order to ensure that all families, private schools, and other relevant agencies and organizations within the boundaries of the local school district, are aware of the district’s child find efforts and of the process for referring a child who is suspected of having an educational disability, the district has developed the following policy.

1. Children Ages Birth to 3 Years

The District, using the special education evaluation team process, shall evaluate all children who are suspected of having an educational disability, and who are potentially in need of special education or special education and educationally related services. Students who are in need of services are referred to the appropriate community agency.

2. Students Ages 3 ~~through 21~~ Years to 22 Years

The District, using the special educational evaluation team process, shall identify, evaluate, and classify all students determined to be students with educational disabilities from age 3 to ~~21~~ **22**. This includes students who are placed unilaterally in a private school by their parents without involving the Gilford School District.

3. Child Count

The District counts persons birth through ~~21~~ **22** who are suspected of being students with disabilities by using the State Department of Education Information System (SPEDIS) and provides child find data to SPEDIS on an on-going basis.

CHILD FIND PROGRAM

The Gilford School District has established the following procedures for identifying children who may be in need of special education or special education and related services.

1. In-School Child Identification

a) Students may be referred to the Special Education Team for reasons including but not limited to the following:

- Failing to pass a hearing or vision screening;
- Unsatisfactory performance on group achievement tests or accountability measures;
- Receiving multiple academic and/or behavioral warnings;
- Repeatedly failing one or more subjects;
- Identification as at risk through preschool screening results; and
- Identification as educationally disabled prior to transfer to Gilford School District.

Current GSD policy revised to reflect SB 394 and HB 1513 which both amend the definition in RSA 186-C:2 of "child with a disability" to include such children until they reach the age of 22.

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2. Communication with Sectarian/Non-Sectarian Private Schools

a) The Gilford School District annually contacts all schools within its jurisdiction to advise them of the district's responsibility to identify and evaluate all students who are suspected of or known to have an educational disability and who are enrolled in such schools. ~~Esther Kennedy~~, The Director of Student Services, serves as Gilford's contact person.

b) Referrals from schools shall be forwarded to the Gilford School District Special Education Evaluation Team for a dispositional review.

3. Communication with Other Service Providers

a) The Gilford School District annually contacts all social service agencies within its jurisdiction which provides medical, mental health, welfare, and other human services to advise them of the district's responsibility to identify and evaluate all students who may have an educational disability.

b) Referrals from these agencies shall be forwarded to the Gilford School District Special Education Evaluation Team for a dispositional review.

4. Dissemination of Information

a) The Gilford School District annually disseminates information which describes its child find program. This includes a description of the local school district's special education program, and a contact person in the school system for further information or referral.

5. Parent Information

a) The Gilford School District annually provides all parents of students with education disabilities with information regarding their rights and responsibilities under federal and state law regarding special education. The District will make significant efforts to ensure material is printed in language that is understandable to the parent.

b) The Gilford School District ensures that all referrals from parents and others who suspect or know a student to have an education disability are referred to the Gilford School District Special Education Evaluation Team.

c) The Gilford School District provides the parents with a written notice of any referral other than one initiated by the parent.

(Adopted: 4/19/99)

(Revised: 5/4/09, 1/7/2013)

(Reaffirmed: 12/3/2018)