

A Tradition of Education Excellence and Opportunity for ALL

As it Relates to NH Special Education & Students with Disabilities

Public education is every citizen's one chance to a better life and the best way to strengthen our state and nation. It's the path forward to fostering a skilled workforce, personal responsibility, and self-sufficiency. Accountability and transparency are the cornerstones to ensuring our tax dollars are producing real results.

*Today about 1 in 7 NH school children receive some form of special education. NH public schools **MUST** accept ALL students, including students with disabilities, regardless of the child's national origin, gender, sexual orientation, religion, or socioeconomic status. NH public schools strive to assist every child to achieve high expectations, including preparing them to graduate high school and be career-ready, so they can be fully participating and contributing members of their communities.*

The enactment of the Individuals with Disabilities Education ACT (IDEA) guarantees equal protection under the law for all children and youth with disabilities providing access to a free appropriate public education (FAPE) that meets their education and related services needs in the least restrictive environment (LRE). LRE means that children with disabilities have a right to be educated in general education classrooms (where the child would be if they did not have a disability) unless, even with supplemental aids and services, the child's needs cannot be met in that setting.

"The implementation of IDEA has produced important improvements in the quality and effectiveness of the education received by more than six million children and youth with disabilities." (Frieden, 2003)

The "NH Standards for the Education of Children with Disabilities" are a model for student success as they support parental involvement and foster parent/school collaboration (recognizing that parental involvement in their children's education is a fundamental NH value); they make the process more efficient, proactive, and cost-effective.

NH is proud to lead the nation in having one of the the highest percentage of students with disabilities graduating from high school with a diploma, one of the lowest drop-out rates and a much higher than average percentage of students with disabilities enrolled in post-secondary education and/or employed one year after completing high school.

NH has been providing "school choice" options in public education through Career and Technical Education (CTE) programs, the NH Career Academy, Extended Learning Opportunities (ELOs), and public Charter Schools (NH DOE, 2022). These options provide opportunities in and outside of the classroom, that promote career-readiness and academic excellence. In cases where a student is struggling and parents believe the current school cannot meet the needs of that child, they have the right to appeal to their school board and request a school assignment change under RSA 193:3 Manifest Educational Hardship.

Educational placement decisions for children with disabilities are made by each child's IEP team. While an IEP team can place a child with a disability in an approved private school if they determine that it is necessary to provide a child FAPE, it is important to be aware that *children with disabilities who are placed by their parents do not retain an individual right to continue receiving special education and/or related services under the IDEA while enrolled in private school.*

Inclusive Education benefits ALL students. Access to high quality inclusive education benefits both students with and without disabilities. Time spent educating students together in the general education classroom environment and access to high academic expectations and core academic curriculum is positively correlated with math and reading achievement (Cole, Waldron, & Majd, 2004; Cosier, Causton-Theoharis, & Theoharis, 2013). In fact, students who experience intellectual disabilities educated in the general education classrooms make more progress in literacy skills compared to students served in special schools (Desseimontet, Bless & Morin, 2012).

One of the primary purposes of education is to prepare children for adult life. In a time where limited state and federal resources are being stretched, it's more important than ever that transitioning youth with disabilities ages 14-22 be prepared to leave high school as independent as possible and job and career ready. *Students who have access to robust transition services beginning at age 14 are more likely to be employed after high school* (Cimera, Burgess, & Bedesem, 2014).

Prioritizing Vocational Rehabilitation funding is necessary to provide Pre-employment Transition Services (Pre-ETS), for youth to engage in activities that promote successful transition into the working world including things like job exploration and counseling, internships, etc. before leaving high school. Supporting proven educational programs like project IMPACCT and Project Search will assist youth with disabilities to move into adult life and be productive working citizens in competitive integrative employment.

There were *two new special education requirements* passed in 2022 that support transitioning youth with disabilities:

1. The IEP team must consider supported decision-making as an alternative to guardianship.
2. The IEP team shall discuss voter registration with students turning 17 years of age and consider an appropriate community living/ citizenship training goal in the IEP. This requirement also applies to students who have 504 plans.

While schools have reopened, it is important to note that *during the COVID-19 pandemic, no special education rights were waived!* Every child with a disability was, and still is, entitled to receive a FAPE in accordance with their IEP, including compensatory services when needed.

It will be critical that NH public schools receive the financial support they need to meet the needs of all students, including children with disabilities, and implement policies that maintain the integrity of public schools, that support inclusive educational options, and that lead to improved outcomes for children and youth with disabilities.