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STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
101 Pleasant Street  
Concord, N.H. 03301  
FAX 603-271-1953  
Citizens Services Line 1-800-339-9900

March 4, 2014

Lynne M. Grigelevich  
22 School Street  
Lebanon, NH 03766

Re: Complaint FY 14-20

Dear Ms. Grigelevich:

The New Hampshire Department of Education received your written documentation on February 12, 2014.

The Department reviewed the information submitted to determine:

- if a violation has occurred,
- if the alleged violation occurred not more than one year prior to the date that the complaint was received in accordance with 34 CFR 300.151 and
- if the party filing the complaint forwarded a copy of the complaint to the LEA or public agency serving the child at the same time the party filed the complaint with the Department.

After reviewing the information submitted, the Department has determined that the information provided does not meet the standard of a violation of special education law. The complaint process under Ed 1121 does not have a mechanism to determine the quality of education, grading or follow up of a student. Therefore, these issues will not be investigated through the special education complaint process.

Thank you for your time and interest in this matter.

Sincerely,

Virginia M. Barry, Ph.D.  
Commissioner of Education

VB/eh

**Complaint Worksheet - Use with State or Federal Complaints (IDEA, OCR, FERPA)**

*Please fill out all sections completely*

**Name of Person filing the Complaint:** Lynne M Grigelevich, Executive Director, LCS      **Daytime Telephone Number:** (603)727-4772

**Address:** Ledyard Charter School, PO Box 327, 22 School Street

**City/Town:** Lebanon, NH      **Zip Code:** 03766

**Daytime Telephone Number:** (603)727-4772

**E-mail:** execdirectorlcs@gmail.com

**Student's Information** - XXXXX XXXXX      **Date of Birth:** x/xx/xxxx

**Student's Address:** x xxxxxx xx xxxxxxxx, xx xxxxxx

**School Student Attends:** Ledyard Charter School      **Grade:** 10      **School District:** Ledyard Charter School      **District of Residence:** Lebanon

**Signature of Person Filing Complaint:** 

**Date:** 2/10/14

**Relationship to Student:**  Parent or Guardian  Citizen  Attorney  Advocate      **Executive Director, Ledyard Charter School**

Date of Alleged Violation	Statement of the Violation & Facts on Which the Allegation is Based:	Federal / State Regulation/ Rule Violated	Documentation of Alleged Violation (Proof)	How the Alleged Violation Harmed the Student	Specific Remedy Sought
12/12 1/14	<p>The NH Charter school law (see RSA 194-B:11, III(o)) dictates that local "resident district" are responsible for provision of special education and related services to students who elect to enroll in public charter schools. The Lebanon School District (LSD) has systematically denied students who enrolled at Ledyard Charter School (LCS) a free appropriate public education in the least restrictive environment.</p>	IDEA Part B related to FAPE, LRE, and IEP Team procedures	Ledyard Charter School - Special Education Concerns for XXXXXX	Students who were encouraged to waive rights to access services for which they were eligible under IDEA have been harmed because they have not been able to access the services they require to fully benefit from the general education curriculum and be successful. Examples of these services are individualized academic supports and mental health counseling.	<ul style="list-style-type: none"><li>o Conduct re-evaluations of all students who have or formerly had active IEPs when they attended either Lebanon Middle School or Lebanon High School.</li></ul>
Review	<p>LSD directed parents of students with IEPs who have chosen to attend the LCS to consider exiting their IEPs when they enroll in the charter school. They refer to this status as "being in child find." In many instance, the transition from active to inactive IEP has occurred absent a substantive review of the IEP and was justified on procedural reasons (i.e., the parents or child of major age did not show up for the meeting to discuss the IEP).</p>		E-mails between LSD special education personnel and Executive Director of the Ledyard Charter School (Grigelevich)	Students who have continued to obtain limited services physically at LSD by paraprofessional who have no contact with their general education teachers at LCS have not	<ul style="list-style-type: none"><li>o Provide all special education and related services identified on IEPs to students who enroll at LCS.</li><li>o Provide special education and related services at LCS in accordance with LRE standard.</li><li>o Collaborate with Executive Director of LCS to select the special education and related services personnel who will work with LCS students.</li></ul>

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*Please fill out all sections completely*

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<p>The LSD has restricted supports provided to students with IEPs attending LCS to limited and generic resource room support provided by paraprofessionals physically at Lebanon High School.</p> <p>In order to obtain special education services, students with disabilities enrolled at LCS are require to physically go to Lebanon High school prior to school starting at LCS and afterwards ride a bus to LCS, or to go to LHS during the last period of the day. This process requires that students attend school outside of regular hours or lose approximately 45 minutes of class at LCS.</p> <p>After multiple requests by the Executive Director of the LCS, the LSD has failed to schedule or convene IEP's meetings to review students' individual needs.</p> <p>After multiple requests by the Executive Director of LCS stemming from concerns about students' progress absent special education and related services supports, the LSD has failed to convene meetings to review the status of students placed by LSD into "child find"</p>			<p>been provided an appropriate public education in the least restrictive environment. The services have not been adequate and they have been provided in an unnecessarily restrictive manner (i.e., they are required travel to another school in order obtain supports that should be provided within the general education classroom in collaboration with general education teachers).</p> <p>Students have been denied related services (e.g., counseling services) they had received when they attended the LSD.</p>	<ul style="list-style-type: none"> <li>o Provide compensatory services to students enrolled at LCS who have been denied special education and related services by LSD since the student enrolled at the charter school.</li> <li>o Develop a process to assist students with IEPs transfer from LSD to LCS that entails convening the IEP team, including general education teachers.</li> </ul>
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*\* Complaints filed with the Office of Civil Rights may allege discrimination to the student or parent (not limited to harm the student experienced)*