



Virginia M. Barry, Ph.D.
Commissioner of Education
Tel. 603-271-3144

Paul K. Leather
Deputy Commissioner
Tel. 603-271-3801

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

April 10, 2015

Tina Trudel
Chief Operating Officer
Lakeview Neurorehabilitation Center
244 Highwatch Road
Effingham NH 03882

Dear Ms. Trudel:

I write to inform you that pursuant to RSA 186-C:5 V, I order the cessation of operation of the Special Education Program at Lakeview School. The New Hampshire sending districts must find a new (alternative) special education placement within sixty days of this letter.

Over the past six months, the Department of Education (NHDOE) Bureau of Special Education (Bureau) has been monitoring the Special Education Program offered by Lakeview School. During this time, the Bureau has conducted three site visits and for approximately two months, participated in weekly teleconferences with Lakeview staff. Lakeview was notified the day before two of the site visits. Following these visits, Lakeview received detailed reports which identified areas of non-compliance, corrective actions to be taken, and timelines for submission of evidence of correct implementation of the New Hampshire Rules. The most recent site visit, conducted on February 26, 2015, was unannounced. At this site visit, additional evidence of non-compliance was discovered.

Despite detailed letters identifying areas of non-compliance and the steps necessary to demonstrate correct implementation of the New Hampshire Rules, the Special Education Program of the Lakeview School has consistently failed to comply. This non-compliance has been severe and long lasting. When Lakeview has submitted evidence of corrective action and compliance, the evidence submitted has served to highlight additional deficiencies in the program. While the most recent submission by Lakeview School showed progress in some of the areas of noncompliance, there continues to be numerous areas of noncompliance.

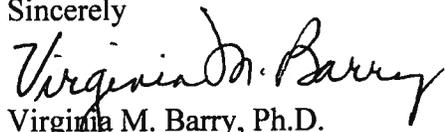
The nature of the noncompliance demonstrates a systemic failure on the part of the program to provide a free appropriate public education (FAPE) to its students.

Lakeview's areas of non-compliance are extensive. The Lakeview Program has repeatedly disregarded the New Hampshire Rules requiring adherence to the special education approval process in order to introduce new programs. Such action prohibits the Bureau's ability to monitor these programs to ensure that they meet the standards of FAPE. It has failed to provide policies and procedures demonstrating compliance with state law. The Lakeview Special Education Program has said that they issue high school diplomas. However, no evidence has been provided that shows the curriculum or lesson plans upon which the qualifications for those diplomas are based. Furthermore, Lakeview employs staff members that are functioning as teachers, but who lack the appropriate credentials and/or endorsements. The Bureau's most recent report, dated April 10, 2015, demonstrates an ongoing failure to comply with New Hampshire rules by revealing additional findings of noncompliance. The findings of the Bureau are attached.

Based on the detailed review of the documentation provided by Lakeview, as well as the information gathered during three site reviews, the New Hampshire Department of Education cannot ensure that a Free Appropriate Public Education is being provided and to students enrolled at the Special Education Program of Lakeview School. Therefore, per RSA186-C:5 V (d)(7) and (13), I hereby order the cessation of operation of the special education program at Lakeview School. I further order that all school districts with students placed at the Special Education Program at Lakeview School relocate its students to other program or facilities that are in compliance with state and federal law within the next sixty days.

You may request a hearing before the State Board of Education if you believe that the orders of compliance are inaccurate, invalid, not based on fact, or any combination of the foregoing.

Sincerely



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

cc: Christopher Slover, Chief Executive Officer
NHDOE File

Attachments