

IDEA WRITTEN ADMINISTRATIVE COMPLAINT NUMBER 15-54

Name of the school system:

Shelby County Schools

Description of the violation:

Shelby County Schools' failure to conduct an annual review of the Individualized Education Program (IEP) amounted to a procedural violation of IDEA.

Shelby County Schools' failure to provide occupational therapy as required by the IEP was a substantive violation of IDEA which amounted to a denial of the student's entitlement to a free appropriate public education (FAPE).

Description of the law or regulation determined to have been violated:

34 C.F.R. §300.323 (c) (2)

When IEPs must be in effect

34 C.F.R. §300.324 (b) (i)

Development, review, and revision of IEP

Corrective measures ordered by the department:

Shelby County Schools must schedule and arrange training regarding the aforementioned regulations, as mandated by the IDEA, to the appropriate staff within thirty (30) days of receipt of the findings report.

Shelby County Schools must schedule an IEP team meeting to make arrangements for compensatory services for missed occupational therapy within ten (10) days of receipt of the findings report.

Final determination of the department:

The Department will monitor Shelby County Schools for compliance with the correction action plan until the Department is satisfied that it has been completed.