

IDEA WRITTEN ADMINISTRATIVE COMPLAINT
19-49

Name of the school system:

Shelby County Schools (SCS)

Description of the violation:

SCS failed to identify a suspected secondary educational disability, and failed to provide a Free Appropriate Public Education (FAPE) to Student during suspensions exceeding 10 school days.

Description of the law or regulation determined to be violated:

34 C.F.R §300.324	“Development, review, and revision of IEP”
34 C.F.R. §300.323	“When IEPs must be in effect”
34 C.F.R. §300.101	“FAPE”

Corrective measures ordered by the department:

SCS must correct these violations by implementing the following corrective actions:

1. Convene an IEP team meeting within ten (10) school days of receipt of this report to:
 - a. Complete a reevaluation packet to determine Student’s current educational needs;
 - b. Discuss the plan for providing 22 hours of compensatory Resource Algebra in the special education setting, and 22 hours of Resource Learning Lab in the special education setting;
 - c. Discuss the results of the FBA for which consent was granted on 11/2/2018.
2. Within ten (10) days after the meeting, provide documentation to the department of the IEP team decision regarding reevaluation, the proposed plan for completion of compensatory hours, and the results of the FBA;
3. Within ten (10) days of the completion of compensatory hours, provide the department with documentation of all completed services;
4. Provide training for all appropriate staff on the aforementioned regulations no later than 7/26/2019;
5. Within ten (10) days of completion of training provide the department of the agenda, content, and sign-in sheets of participants as documentation of appropriate training content and appropriate staff participation;
6. Provide training for all appropriate staff on the role of the IEP team and regular education staff in identifying suspected secondary disabilities;
7. Within ten (10) days of completion of the role of the IEP team and regular education staff in identifying suspected secondary disabilities training, provide the department with the agenda, content, and sign-in sheets of participants as documentation of appropriate training content and appropriate staff participation;

Final determination of the department: The Department will monitor and document SCS compliance with corrective measures ordered.