

IDEA WRITTEN ADMINISTRATIVE COMPLAINT
19-59

Name of the school system:

Knox County Schools (KCS)

Description of the violation:

KCS failed to provide prior written notice in a timely manner.

KCS failed to provide educational record review and inspection in a timely manner.

Description of the law or regulation determined to be violated:

34 C.F.R. §300.503

Prior notice by the public agency; content of notice

34 C.F.R. §300. 613

Access rights

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

1. Provide training for all appropriate staff on the aforementioned regulations no later than 8/10/2019;
2. 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;
3. Within ten (10) days of receipt of the letter contact Complainant to arrange a date, time, and location for inspection and review of any requested education records that meet the definition under FERPA. Education records made available for review include:
 - a. Tests and responses, including review of protocols and questions, for any assessment administered to Student-provided KCS retains the tests in personally identifiable form;
 - b. Teacher documentation that pertains to Student's educational performance and conduct (so long as the documentation does not constitute a record that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record)

Records excluded from review include;

- a. Personal notes or teacher papers, and other records of instructional, supervisory and educational personnel not revealed to others;
 - b. Tests and test protocols that do not contain personally identifiable information;
 - c. Documents such as test instruments and interpretative material that does not contain Student's name or other personally identifiable information.
4. Within ten (10) days after the designated inspection and record review per this decision, provide the department with the date and location of the inspection and review.

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