

IDEA WRITTEN ADMINISTRATIVE COMPLAINT
19-68

Name of the school system:

West Carroll Special School District (WCSSD)

Description of the violation:

WCSSD failed to provide the parent the required time to review the proposed IEP before finalizing.
WCSSD failed to provide the required services as required by the IEP.
WCSSD failed to convene an IEP team within the required time per parent request.
WCSSD failed to convene an IEP team meeting to address a lack of progress in the general education setting.
WCSSD failed to provide the parent with written notice of IEP team proposals and reasons for the refusals.

Description of the law or regulation determined to be violated:

34 C.F.R. §300.323	When IEPs must be in effect
34 C.F.R. §300.503	Prior notice by the public agency
34 C.F.R. §300.324	Development, review, and revision of IEP
SBOE Rule 0520-01-09-.14	Review and revision of the IEP
SBOE Rule 0520-01-09-.05	FAPE
SBOE Rule 0520-01-09-.13	When IEPs must be in effect

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

Student 1:

1. Provide compensatory ESY services, ensuring that a total 31.5 ESY hours have been provided prior to the start of the 2019-20 SY:
 - 9 hours per week for 6/3/2019 through 6/7/2019 according to Student's previous IEP
 - 3 hours per week starting the week of 6/10/2019 through 7/26/2019 according to Student's current IEP
 - 1.5 hours for 7/29/2019 according to Student's current IEPProvide the department with the plan for delivering all services;
2. Within ten (10) days of the completion of all ESY hours, provide the department with documentation of all completed services;
3. Convene an IEP team meeting no later than 8/2/2019 to discuss student's educational needs for the 2019-20 SY;
4. Within ten (10) days after the meeting, provide documentation to the department of the IEP team decisions;
5. Review violations and training needs with TDOE staff, and provide training for all appropriate staff on the following regulations no later than 9/1/2019:
 - a. SBOE Rule 0520-01-09-.13
 - b. 34 C.F.R. §300.503
 - c. SBOE Rule 0520-01-09-.05

- d. SBOE Rule 0520-01-09-.14
- 6. Within 10 days of completion of training provide the department with the agenda, content, and sign-in sheets of participants as documentation of appropriate training content and appropriate staff participation.

Student 2:

- 1. Convene an IEP team meeting no later than 8/2/2019 to:
 - a. Discuss if Student should have been found eligible for ESY services. If so, determine required compensatory hours required;
 - b. Discuss Student's educational needs;
 - c. Review and revise Student's IEP to develop current present levels of educational performance (PLEPs), and ensure appropriate goals and services are in place to meet his educational needs;
- 2. Within ten (10) days after the meeting, provide documentation to the department of the IEP team decisions. If compensatory hours for ESY were determined as needed, provide the department with the plan for providing proposed hours. If the team determines that compensatory hours are needed, provide the department with documentation of all services after completion;
- 3. Review violations and training needs with TDOE staff, and provide training for all appropriate staff on the following regulations no later than 9/1/2019:
 - a. SBOE Rule 0520-01-09-.05
 - b. SBOE Rule 0520-01-09-.14
 - c. 34 C.F.R. §300.323
- 4. Within 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.

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