

**IDEA WRITTEN ADMINISTRATIVE COMPLAINT
19-20 #52**

Name of the school system:

Dickson County Schools (DCS)

Description of the violations:

DCS failed to allow for parent participation in the development of a student's behavior intervention plan;
DCS failed to consider behavior intervention needs in a student's IEP;
DCS inappropriately restrained a student and failed to convene an IEP meeting in the required time;
DCS failed to provide parents 14 days to review the IEP before implementing;
DCS failed to fully implement a student's IEP accommodations and visual supports as required by the IEP;
DCS failed to comply with the state rule for behavioral homebound placements; and
DCS failed to provide a student with a free and appropriate public education (FAPE).

Description of the law or regulation determined to be violated:

34 C.F.R. §300.322	Parent Participation
34 C.F.R. §300.323	When IEPs must be in effect
34 C.F.R. §300.303	Reevaluations
34 C.F.R. §300-530	Authority of school personnel
34 C.F.R. §300.17	FAPE
T.C.A. §49-10-1303	Isolation or restraint-part definitions
T.C.A. §49-10-1304	Isolation or restraint of student-reports and records
Tennessee SBOE 0520-01-09-.07	Placements
Tennessee SBOE Rule 0520-01-09-.13	When IEPs must be in effect
Tennessee SBOE 0520-01-09-.05	FAPE

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

1. DCS must communicate potential dates to the department for hosting trainings provided by the Tennessee Department of Education (TDOE) on the aforementioned regulations. The division of Federal Program Oversight will also be conducting a monitoring of district-wide policies and practices regarding:
 - a. IEP team LRE placement decisions at NDA and across the district; and
 - b. Restraint and isolation.The required DCS staff for training is not limited to NDA staff, and will be determined by the TDOE. Trainings and monitorings must be arranged and completed no later than 8/1/2020. DCS must provide sign-in sheets for participants as documentation of staff trainings;
2. Within ten (10) days of completion of training, provide the department sign-in sheets of participants;

3. Within 10 days of receiving this letter provide the department a copy of the DCS written procedures for isolation and restraint. A review and guidance from the department will be provided back to DCS to ensure compliance of their procedures no later than 8/1/2020;
4. DCS must convene at IEP team meeting within 10 days of receiving this letter and complete the following determined by the department:
 - a. Create a plan for transition and an IEP which provides a FAPE and returns Student full-time to CES (or another agreed upon school/placement) no later than May 4, 2020;
 - b. Arrange for the completion of an updated FBA/BIP which meets his needs upon his return to CES (or another agreed upon school/placement);
 - c. Discuss and calculate the missed academic service hours since 10/24/2019 due to Student exceeding the 30 school day limit for a behavioral homebound placement. Provide parents with a variety of options (days/times/location/outside programs) for completing the agreed upon compensatory hours;
5. Within ten (10) days after the IEP team meeting, provide documentation to the department of the IEP team decisions required under step #4;
6. Within ten (10) days of completion of all agreed upon compensatory services, DCS must send to the department final signed documentation from Complainant verifying completion.

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