

IDEA WRITTEN ADMINISTRATIVE COMPLAINT
2020-21 #6

Name of the school system:

Clarksville Montgomery County School System (CMCSS)

Description of the violation:

CMCSS failed to identify/evaluate Student for special education and related services upon Parent request and failed to provide an appropriate Functional Behavior Assessment (FBA) and Individualized Education Program (IEP) to meet Student's needs, which delayed the provision of supports and related services that are necessary for Student's access to a Free Appropriate Public Education (FAPE).

Description of the law or regulation determined to be violated:

34 C.F.R §300.301	Initial Evaluations
34 C.F.R. §300.503	Evaluation procedures
34 C.F.R. §300.111	Child Find

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

1. Provide training for all appropriate staff on the aforementioned regulations no later than 1/15/21;
2. Within ten (10) days of completion of the training, provide the department with the agenda, content, and sign-in sheets of participants as documentation of appropriate training content and staff participation;
3. Within 10 school days after receipt of this letter, CMCSS must convene Student's IEP team, including Complainants, in order to:
 - a. review Student's FBA to determine if additional evaluations or data are necessary for identifying and addressing Student's behavioral needs;
 - b. review Student's IEP and BIP to determine if further supports or services are warranted; and
 - c. the IEP team must determine compensatory education or services owed to Student;
4. Within ten (10) days after any team meetings, provide documentation to the department of all team decisions required under step #3;
5. CMCSS must, upon completion of all required compensatory services, send to the department final signed documentation verifying completion.

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