

SPECIAL EDUCATION COMMUNITY COMPLAINT (SECC) NO. 23-69

PROCEDURAL HISTORY

On May 11, 2023, the Office of Superintendent of Public Instruction (OSPI) received and opened a Special Education Community Complaint from the parent (Parent) of a student (Student) attending the Lake Washington School District (District). The Parent alleged that the District violated the Individuals with Disabilities Education Act (IDEA), or a regulation implementing the IDEA, regarding the Student's education.

On May 11, 2023, OSPI acknowledged receipt of this complaint and forwarded a copy of it to the District superintendent on May 12, 2023. OSPI asked the District to respond to the allegations made in the complaint.

On May 25, 2023, the District requested an extension to June 2, 2023 to respond. OSPI granted the extension.

On June 2, 2023, OSPI received the District's response to the complaint and forwarded it to the Parent on the same day. OSPI invited the Parent to reply.

On June 14, 2023, OSPI received the Parent's reply. OSPI forwarded that reply to the District on June 15, 2023.

On June 21, 2023, OSPI requested that the Parent provide additional information, and the Parent provided the requested information on June 26, 2023. OSPI forwarded the information to the District on June 27, 2023.

On June 30, 2023, OSPI requested additional information from the Parent. OSPI received the information on the same day and forwarded it to the District on the same day.

OSPI considered all information provided by the Parent and the District as part of its investigation.

SCOPE OF INVESTIGATION

This decision references events that occurred prior to the investigation period, which began on May 12, 2022. These references are included to add context to the issues under investigation and are not intended to identify additional issues or potential violations, which occurred prior to the investigation period.

ISSUES

1. Did the District give the Parent an opportunity to provide input into the decisions regarding the Student's individualized education program (IEP) according to WAC 392-172A-03110, by providing the following during the 2022-23 school year:
 - Comparative data
 - Daily communications

- Progress reports
 - Responses to Parent questions
 - Copy of the Student's IEP?
2. Did the District follow procedures in developing the Student's secondary transition plan according to WAC 392-172A-03090 during the 2022–23 school year, including the Student's program placement?
 3. Did the District implement the special education and related services in conformity with the Student's IEP according to WAC 392-172A-03105 during the 2022–23 school year in the following areas:
 - Transportation
 - 1:1 paraeducator
 - School outings?

LEGAL STANDARDS

Parent Participation in IEP Development: The parents of a child with a disability are expected to be equal participants along with school personnel, in developing, reviewing, and revising the IEP for their child. This is an active role in which the parents (1) provide critical information regarding the strengths of their child and express their concerns for enhancing the education of their child; (2) participate in discussions about the child's need for special education and related services and supplementary aids and services; and (3) join with the other participants in deciding how the child will be involved and progress in the general curriculum and participate in State and district-wide assessments, and what services the agency will provide to the child and in what setting. Individuals with Disabilities Education Act (IDEA), 64 Fed. Reg. 12,472, 12,473 (March 12, 1999) (Appendix A to 34 CFR Part 300, Question 5).

Progress Reporting: The purpose of progress reporting is to ensure that, through whatever method chosen by a school district, the reporting provides sufficient information to enable parents to be informed of their child's progress toward the annual IEP goals and the extent to which that progress is sufficient to enable the child to achieve those goals. *Amanda J. v. Clark County Sch. Dist.*, 267 F.3d 877, 882 (9th Cir, 2001) (parents must be able to examine records and information about their child in order to "guarantee [their] ability to make informed decisions" and participate in the IEP process). IEPs must include a statement indicating how the student's progress toward the annual goals will be measured and when the district will provide periodic reports to the parents on the student's progress toward meeting those annual goals, such as through the use of quarterly or other periodic reports concurrent with the issuance of report cards. 34 CFR §300.320(a)(3); WAC 392-172A-03090(1)(c).

Copy of IEP for Parents: A district must provide parents with a copy of their student's IEP, with any amendments, at no cost to the parents. 34 CFR §300.322(f); WAC 392-172A-03100(8).

Transition Requirements for IEPs: Beginning not later than with the first IEP to be in effect when a student eligible for special education turns 16, or younger if determined appropriate by the IEP team, the student's IEP must include appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where

appropriate, independent living skills; the transition services including courses of study needed to assist the student in reaching those goals; and a description of how the postsecondary goals and transition services align with the high school and beyond plan. 34 CFR §300.320(b); WAC 392-172A-03090(1)(k). To the extent appropriate, the district must invite a representative of any participating agency that is likely to be responsible for providing or funding transition services to the student. WAC 392-172A-03095.

IEP Implementation: A school district must ensure it provides all services in a student's IEP, consistent with the student's needs as described in that IEP. 34 CFR §300.323; WAC 392-172A-03105.

FINDINGS OF FACT

Background: 2019–20 & 2021–22 School Years

1. In March 2020, the Student was a 12th grader who attended a District high school. The District reevaluated the Student, who continued to be eligible for special education services under the category of intellectual disability. The Student had significant needs in the areas of functional academics, social skills, behavior, speech/language, adaptive skills, muscle coordination, and toileting skills. The Student used an augmentative communication device and a walker at times.
2. In March 2022, the District held a meeting to review the Student's IEP. The team considerations for the Student section of the IEP listed communication and using a voice output device, assistive technology, and behavior support that included specially designed instruction (SDI) and a behavioral intervention plan (BIP). The Student's IEP provided annual goals in the areas of adaptive skills, social/emotional, behavior, functional reading, functional writing, and functional math along with SDI in these areas. Progress toward the goals would be reported quarterly. Services included a "1:1 paraeducator" and five hours a month of services from a board-certified behavior analyst (BCBA). One of the goals included the Student identifying on his augmentative alternative communication device (AAC) three activities he participated in when asked, "What did you do at school today?" Related services to be provided to the Student included physical therapy, occupational therapy, and speech/language therapy.

The IEP provided 16 accommodations, including "school-home communication system" to be implemented daily, one modification, staff supports that included IEP dissemination, and quarterly training to staff regarding the BIP and training for new staff or substitute staff.

The secondary transition plan in the IEP stated the Student was attending the community program four days a week. The Student's transition goals were participating in on-the-job training, working in supported employment, and utilizing an AAC device.

The IEP provided extended school year (ESY) services that included adaptive skills, behavior, functional reading, functional writing, functional math. The IEP provided special

transportation, although did not describe the details of the special transportation needed by the Student.

3. On June 1, 2022, the Parent emailed the Student's special education teacher about the "School to Work Open House." The email indicated that the Parent was informed at the open house that she needed to enroll with the Department of Vocational Rehabilitation (DVR) and the "School-to-Work" program, which she was not aware of previously.

2022–23 School Year

4. At the beginning of the 2022–23 school year, the Student attended a community-based program. The Student continued to be eligible for special education under the category of intellectual disability. The Student's March 2022 IEP was in place and the IEP described the community-based program as follows:

[Student] attends the [program]. The [program] is a community based program for young adults with developmental disabilities. The focus of [Student's] program is preparation for supported work and life in the community. This year's classroom will be in the community and focused on learning to get around safely crossing streets, alleyways, hidden exits, and pedestrian cross walks; learning and using [public transit] routes; shopping...restaurants, grocery stores, and other retail businesses; locating and paying for merchandise with some supervision; following schedules; working toward independence...initiating, asking for assistance/directions; and preparation for employment through volunteer opportunities. [Student's] last year (2022-23) will focus on job assessment, development, placement, and ongoing training.
5. The District's 2022–23 school year began on September 5, 2022.
6. The Student's daily schedule included iPad work, laundry, washing gears, and exercises, among other activities. The schedule did not indicate when the Student would be in the community.
7. The BCBA provided a progress report for the Student for the period from September 1 to 30, 2022. The report stated that since the last year's 1:1 paraeducator did not return, the District staffed the service using multiple paraeducators. The Student showed "positive response" to the program, although the teacher reported instances of non-cooperation and refusal to transition between activities. The report stated that during the week of September 19, 2022, the new 1:1 paraeducator attended staff training to meet the Student's team, review the Student's daily schedule, and "identify a systemic introduction to support from his 1:1 aide."
8. In the previous school year, the District provided a designated 1:1 paraeducator to the Student. However, the 1:1 paraeducator did not return for the 2022–23 school year. The 1:1 paraeducator support was provided by 2–3 different paraeducators. The Parent, in the complaint, alleged the District failed to provide a 1:1 paraeducator.
9. Regarding transportation, at the beginning of the school year, the Parent described the transportation as inconsistent, unreliable, and unsafe. The Parent stated, "One week he had a bus, the next he didn't." According to the Parent, although the Student did not miss any school,

the District transported the Student by bus and car, which was “unattended”—meaning no one other than the driver was in the car with the Student. The Parent expressed concern about the safety of using different drivers, stated that the size of the car was too small for the Student’s walker, and stated several mishaps involving the car driver occurred.

In October 2022, the Student’s father or caregiver picked him up from school and in November 2022, one driver consistently drove the Student. Then in January 2023, the Student went back and forth on the school bus. The record did not indicate there was any discussion by the IEP about the Student’s transportation needs and the impact of different transportation modes on the Student.

10. The District stated that the bus and a back-up car service were used to transport the Student. The District stated, “While there were some dates early in the school year when afternoon transportation was unavailable through the back-up services, the District did not materially fail to implement Student’s transportation and the District reimbursed the Parent for mileage for any days in which she had to supplement the District’s transportation services.”
11. On October 10, 2022, a dedicated 1:1 paraeducator began working with the Student after completing District training. The Parent expressed concerns about the paraeducator’s physical and communication abilities to work with the Student. The Parent stated, “Assigning a para with English as a second language, with no experience in education, let alone special education to a student with the high level of needs like [Student] didn’t set up either one of them for success...”
12. On October 20, 2022, a staff meeting was held to brief the paraeducator about the Student. The BCBA progress report from October 1–31, 2022 stated the BCBA worked with the new 1:1 paraeducator to provide services to the Student. The report stated that in a meeting on October 20, 2022, “it was found that numerous issues are present as it relates to [Student’s] program – primarily, limited to no ability to access the community, inconsistent toileting routines, and little to no systems in place to build upon IEP skills.”
13. On November 2, 2022, according to the October 2022 BCBA progress report, the Student’s school team met to address the aforementioned issues.
14. Regarding community outings, the Parent stated that in the fall 2022, there were problems with getting the Student out in the community that were eventually resolved in January 2023. The Parent stated, “I know that [Student] didn’t access the community for a variety of reasons. Regardless of the reasons, part of his programming, and part of his IEP, it didn’t happen.”
15. On December 5, 2022, the District began documenting the Student’s behavior on the “[Student]-IEP Data Collection System.” The behaviors included, in part, community social skills, transitions, toileting, functional academics, and making a snack. Later, on February 8, 2023, the District changed the communication sheet that followed the Student’s schedule.

16. On December 8, 2022, the IEP team met to discuss the IEP's implementation. The meeting notes stated, in part, that the Parent's concerns were related to the lack of communication back and forth from school and that the Parent had not heard from the occupational therapist, physical therapist, or speech/language therapist. The team discussed how to support the Student becoming more mobile. The Parent stated she was concerned that the paraeducator was not able to get the Student in the community. The meeting notes indicated the physical therapist would work on getting the Student out into the community and using a van. The District would provide a daily schedule for when and where the Student was walking.

17. According to the Parent, the Parent wanted daily communication from the District that described the Student's activities so the Parent could ask the Student about his day. The Parent stated, "...It allowed me to see progress, to see how he engaged with his team, and his peers, to ask questions to be informed." The Parent told OSPI that she did not receive any "daily sheet" until mid-January 2023 and during the remainder of the school year, she received "about 10."

The District's response stated that the IEP team discussed the daily communication at the December 2022 IEP meeting and what form to use. Regarding the allegation, the District stated the Student's IEP did not expressly require daily school-home communication, but the District provided daily communication logs beginning December 5, 2022 through April 6, 2023. The communication log overlapped with a different data collection system that began on February 8, 2023, and was used through April 17, 2023.

18. The November 1, 2022 to December 16, 2022 BCBA report addressed the support needed for the Student, including staff program fidelity, IEP action items, and staff training on the BIP. To address fidelity, step-by-step instructions were developed to address the bathroom routine, transitions, and skill development, among others. IEP action items consisted of developing materials, instruction, skill-building routines, and a plan to provide community activities to the Student. Staff training included training the 1:1 paraeducator on the Student's BIP.

19. From December 19, 2022 through January 2, 2023, the District was on winter break.

20. On January 19, 2023, according to meeting notes, the Student's special education teacher, the executive director of special services, and the program specialist met to address the Parent's request for daily communication, including communication with the physical therapist, occupational therapist, and speech/language pathologist. They also discussed how to respect the Student's refusals and document the refusals.

21. On February 1, 2023, according to the Parent, the District changed the staff person providing the Student's 1:1 paraeducator support.

22. In March 2023, the District conducted a reevaluation of the Student. On March 27, 2023, the evaluation team met to review the results of the evaluation. The results showed the Student continued to have significant needs in all previous areas. Regarding community engagement, the report stated the Student went into the community one to three times a week that involved

practicing skills, such as greetings and good-byes. The report stated, "Given [Student's] reluctance to transition to the van on occasions, the goal was to ensure that the majority of community outings were reinforcing for [Student] rather than a lot of difficult vocational work to complete..."

23. On March 27, 2023, the Student's team that included the representatives from outside agencies—"School-to-Work" and the Student's employment consultant—reviewed the IEP. At the March 2023 IEP meeting, the IEP team reviewed the Student's progress toward the previous goals and developed new goals in the area of communication repair, functional communication, and transition with the group. The IEP indicated that the Student made progress towards his goals for telling time, toileting, and task list based on goal criteria. Progress would be reported quarterly.

The special education and related services, including BCBA services, remained the same as the services in the March 2022 IEP. The IEP provided the same accommodations, modifications, and staff supports as the previous IEP, including a daily school-home communication system. The IEP continued to provide special transportation, but did not include a description of the Student's specific transportation needs. The Student's secondary transition goals included on-the-job training, supported employment, and utilizing his AAC device. One of the goals continued to be the Student identifying three activities that he participated in on his ACC when asked "What did you do at school today?" The secondary transition plan also provided links to agencies providing services. The list included the Developmental Disability Administration (DDA), DVR, "Northwest Center", and "School-to-Work."

The physical therapist noted the Student walked slowly without a walker at school and used a walker in the community. The physical therapist stated:

Has increased walking activities in community but will sometimes refuse to participate. He will sit on the floor or chair and refuse to get up, requiring assistance in standing. Behaviors at times impede his ability to perform some of the functional mobility activities independently, necessitating physical assistance provided by staff. [Student] has made improvement with overall transitioning and should be noted that he has a Transitioning Plan in place. [Student's] decreased strength and poor endurance can impact his ability to participate in school related activities independently.

The IEP included "Behavior Intervention Plan Recommendations" developed by the BCBA. The plan identified the areas of concern: 1) refusal to transition between physical locations; 2) aggression; 3) throwing objects; and 4) self-injury. The recommendations were based on behavior data that was taken during March 2023.

24. At the IEP meeting, the District provided Student data from the last six weeks to the Parent. The Parent indicated she requested data from the last school year at the meeting to compare with the present data, but was denied. The District's response stated the Parent was provided with comparative data that included paraeducator documentation, progress reports, email communications, and BCBA reports.

25. According to the complaint, the Parent never received a copy of the Student's March 2023 IEP. The District acknowledged there was no documentation that the Parent received the IEP. But the District stated that through the information provided by the District and emails, the Parent had an opportunity to participate in the decision-making process about the Student.

26. From April 10–14, 2023, the District was on spring break.

27. The District provided limited special education progress reporting in response to the complaint, summarized as follows:

- Community Engagement
 - June 2022: Recently started to go out in community. He was able to use ACC while riding the bus. Interest is limited in engaging in activities. Limited opportunities to greet others. (No data)
 - November 2022: Working on communication skills at program. Involvement in community has been limited. (No data)
 - February 2023: Engaging with staff and peer at program. Phrased-based vocabulary has been added that Student uses although not independently. (No data)
- Making a Snack: No data or comments.
- Toileting
 - June 2022: Has made progress in toileting. Needs verbal prompting and occasional mild assistance to grab bars. Can pull pants down with assistance but needs more support pulling up pants. (No data)
 - January 2023: Student working on needed bilateral arm strength. When motivated, can pull down his pants with verbal prompting. Inconsistent pulling up pants. (No data)
- Advocacy (Transitions): No data or comments
- Reading Task List: No data or comments
- Writing (What did you do at school today?)
 - February 2023: Phrased-based vocabulary has been added to communication system. (No data)
- Telling Time: No data or comments.

28. Regarding progress reports, the District's response stated, "The District provided Parent with updated progress related to Student throughout the 2022-2023 school year, through documentation and communication at team meetings. The Parent received Student's progress report in November 2022 and again at the March 27, 2023 IEP team meeting."

29. On May 11, 2023, the Parent filed this complaint with OSPI.

CONCLUSIONS

Issue One: Parent Input – The complaint alleged the District failed to ensure the Parent's participation in decision-making regarding the Student's IEP. A district is required to provide a parent with an opportunity to participate in decisions regarding the IEP and be informed of progress toward the annual goals through progress reports. A district is also required to provide a copy of the IEP to the parent. The District denied the Parent's allegations, except for providing a copy of the IEP to the Parent.

Comparative Data: The Parent made repeated requests for “comparative data” during fall 2022. The Parent stated she wanted the data to be able to compare data with last school year. The District did not respond to the Parent’s request until December 2022, when the District began collecting data and reporting the data to the Parent. Although it was understandable the Parent wanted comparative data due to the lack of progress monitoring data (see below), the District was not required by the IEP to provide additional data reporting other than quarterly progress reports. No violation is found.

Daily Communications: Here, the Student’s March 2022 and March 2023 IEPs provided for school-home communication with the Parent. The District interpreted the accommodation to not require daily communication with the Parent. The IEP did not specify what was to be communicated, but the IEP did include that the frequency of the communication would be daily. The Parent stated the District did not begin to provide daily communication until mid-January and that she received only ten communications after that. Since the IEP required daily school-home communication and this was not provided, a violation is found. The IEP team will be required to meet and discuss the need for daily communication and its purpose. The IEP team must clarify what communication is required and ensure it is implemented consistently.

Progress Reports: The Student’s March 2022 and March 2023 IEPs stated that quarterly progress reports would be provided to the Parent. The District stated it provided the Parent with updated progress throughout the school year through documentation and team meetings. And progress reports were provided to the Parent in November 2022 and at the IEP meeting in March 2023. The documentation provided to the Parent did indicate some progress had been made and the March 2023 IEP provided data about the old and new goals to the Parent. However, this documentation is not a substitute for the quarterly progress reports the IEP required. Progress was not reported quarterly and with some goals, no progress information was reported at all. In addition, the reports that were provided did not provide any data aligned with the goal, making it challenging to determine if the Student was making satisfactory progress toward the goals. Based on limited progress reporting, a violation is found. The District is required to provide training on progress reports.

Response to Parent Questions: The Parent alleged the District was unresponsive to the Parent’s questions. The documentation showed the Parent had frequent questions through emails and at meetings. There is no requirement that the District answer questions specifically; however, OSPI notes that answering parent questions is often connected to helping a parent understand special education processes and ensuring that a parent can participate in the development of their student’s educational program. The documentation also showed that the District was reasonably responsive to the Parent’s questions, although the Parent may not have agreed with the District’s responses. No violation is found.

Copy of the IEP: The District acknowledged that there was no documentation the Parent received a copy of the Student’s March 2023 IEP. The District argued that parent participation was not significantly impacted because of the frequent communication between the District and the Parent regarding IEP concerns. But the requirement for the Parent to have a written copy of the IEP is important because the IEP represented the District’s offer of a free appropriate public

education (FAPE), including what services and accommodations the Student would receive. The IEP team may have discussed many proposals at an IEP meeting, but it was the finalized written IEP that is implemented, and in a complaint, used to determine compliance. Since the Parent did not receive a written copy of the IEP, a violation is found. The District is required to provide the Parent with a copy of the finalized IEP.

Issue Two: Secondary Transition Plan – The complaint alleged the District failed to adequately address the Student’s secondary transition plan, specifically by not informing the Parent about the “School-to-Work” program. The purpose of the secondary transition plan is for the student to decide what they want to do after high school and then provide the student with skills to be able to achieve those goals. The district must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

The District held an IEP meeting in March 2023 and invited a representative from “School-to-Work” and the Student’s employment consultant. According to the Parent, the District previously informed the Parent about the “School-to-Work” program at “curriculum night.” The Parent stated this did allow the Parent to sign up for the program earlier. While the District likely should have invited the “School-to-Work” representative to the March 2022 IEP meeting, this meeting occurred prior to the one-year complaint timeline. Therefore, OSPI cannot address the March 2022 meeting. But the District did fulfill its responsibility by inviting the “School-to-Work” representative to the March 2023 IEP meeting. No violation is found.

Issue Three: IEP Implementation – The complaint alleged the District failed to implement the Student’s IEP. A district is required to implement the special education services in conformity with the student’s IEP.

Transportation: The Student’s March 2022 and March 2023 IEPs provided the Student with special transportation. However, the IEPs did not identify what the special transportation was. The District used different methods of transportation, including a family member, with reimbursement for mileage provided, and a service provider. The documentation indicates, though, that while transportation was generally provided at the start of the school year and the Student did not miss school due to a lack of transportation, the method of transportation was inconsistent. The Parent had concerns about the consistency of the transportation, stating that “One week he had a bus, the next he didn’t,” and safety. In October 2022, the Student’s father or caregiver picked the Student up from school; in November 2022, one driver consistently drove the Student; but then in January 2023, the Student began riding a school bus.

To determine whether the Student’s special transportation was implemented, you need to look at the Student’s IEP to determine what the special transportation services entailed. The Student’s IEP did not describe the transportation services the Student needed. Looking further, the documentation did not show there was a discussion about the Student’s specific transportation needs and what methods would be appropriate for the Student. This is not to say that the transportation methods used were inappropriate, but the IEP team needs to ensure that whatever transportation that is provided to the Student is appropriate and should be documented on the Student’s IEP. Given the inconsistency in method of transportation, it is not clear what the

Student's transportation needs were and whether the car with a driver, Parent transportation, or school bus was appropriate.

Because the IEP did not address the Student's specific transportation needs and thus those needs were inconsistently met, a violation is found. The IEP team must review the Student's transportation needs and specify what special transportation is required. The District will also be required to conduct training on determining special transportation needs.

1:1 Paraeducator: The Student's March 2022 and March 2023 IEPs provided a 1:1 paraeducator to the Student. OSPI notes that 1:1 paraeducator support is a student to staff ratio, meaning that the paraeducator is only supporting one student at a time; 1:1 support does not necessarily mean, unless specified in an IEP, that only a single individual provides the support. Thus, 1:1 support could be provided by several different individuals throughout the day, as long as the individuals are only supporting the student.

The IEP did not specify that the paraeducator be one specifically named person, which appeared how the Parent interpreted the IEP. The documentation indicated that the Student had one paraeducator assigned to him last school year. At the beginning of the 2022–23 school year, the District used two to three paraeducators to provide services. Eventually, the District used one paraeducator to implement the services to the Student. Despite the Parent's interpretation of the IEP, using multiple paraeducators was consistent with the Student's IEP. Although no violation is found, OSPI recommends that the IEP team clarify whether the Student requires a designated 1:1 paraeducator or if multiple paraeducators are appropriate.

Community Outings: The Student's IEP and program emphasized community engagement as a goal for the Student. But the District acknowledged the Student had limited access to the community during fall of 2022. The documentation showed that transportation issues and the Student's mobility complicated access, but the primary reason for the lack of access was the Student's significant difficulty with transitions. The District's reluctance at the time to take the Student into the community was reasonable, until the Student was better able to make the transition. The documentation showed the District made considerable efforts to address transitions in order to facilitate community engagement that included involving the BCBA. In this instance, it was appropriate that the Student's team first work on the Student's transition skills before beginning community outings. The strategies were eventually successful because the Student started to access the community in March 2023. No violation is found.

CORRECTIVE ACTIONS

By or before **September 1, 2023, September 8, 2023, September 22, 2023, and September 29, 2023**, the District will provide documentation to OSPI that it has completed the following corrective actions.

STUDENT SPECIFIC:

Copy of IEP

By or before **September 1, 2023**, the District must provide a copy of the finalized March 2023 IEP to the Parent. By or before **September 8, 2023**, the District will provide documentation that the Parent received a copy of the IEP to OSPI.

IEP Meeting

By or before **September 15, 2023**, the Student's IEP team will meet. At the meeting, the IEP team must address the following topics:

- Daily Communications
- Progress Reports
- Transportation

By or before **September 22, 2023**, the District will provide OSPI with i) a prior written notice, summarizing the group's discussion and decisions concerning the above matters; ii) a copy of the Student's IEP and documentation the IEP was provided to the Parent; iii) any relevant meeting invitations and prior written notices; and iv) any other relevant documentation.

DISTRICT SPECIFIC:

Training

The District, in cooperation and collaboration with a non-District employee (e.g., the ESD or other trainer), will develop and conduct a training on the below topics. The District will provide the trainer with a copy of this decision, SECC 23-69.

The following District staff will receive training: the Student's IEP team. The training will cover the following topics:

- Progress monitoring and reporting
- Determining special transportation needs
- IEP implementation, including accommodations and transportation

The training will include examples.

By or before **September 1, 2023**, the District will notify OSPI of the name of the trainer and provide documentation that the District has provided the trainer with a copy of this decision for use in preparing the training materials.

By or before **September 8, 2023**, the District will submit a draft of the training materials for OSPI to review. OSPI will approve the materials or provide comments by September 15, 2023.

By **September 22, 2023**, the District will conduct the training regarding the topics raised in this complaint decision.

By **September 29, 2023**, the District will submit documentation that required staff participated in the training. This will include 1) a sign-in sheet from the training, and 2) a separate official

human resources roster of all staff required to attend the training, so OSPI can verify that all required staff participated in the training.

The District will submit a completed copy of the Corrective Action Plan (CAP) Matrix, documenting the specific actions it has taken to address the violations and will attach any other supporting documents or required information.

Dated this 7th day of July, 2023

Dr. Tania May
Assistant Superintendent of Special Education
PO BOX 47200
Olympia, WA 98504-7200

THIS WRITTEN DECISION CONCLUDES OSPI'S INVESTIGATION OF THIS COMPLAINT

IDEA provides mechanisms for resolution of disputes affecting the rights of special education students. This decision may not be appealed. However, parents (or adult students) and school districts may raise any matter addressed in this decision that pertains to the identification, evaluation, placement, or provision of FAPE to a student in a due process hearing. Decisions issued in due process hearings may be appealed. Statutes of limitations apply to due process hearings. Parties should consult legal counsel for more information about filing a due process hearing. Parents (or adult students) and districts may also use the mediation process to resolve disputes. The state regulations addressing mediation and due process hearings are found at WAC 392-172A-05060 through 05075 (mediation) and WAC 392-172A-05080 through 05125 (due process hearings.)