

IDEA WRITTEN ADMINISTRATIVE COMPLAINT
21.22_30

Name of the school system:

Johnson City Schools (JCS)

Description of the violation:

JCS failed to evaluate for special education and related services.

Description of the law or regulation determined to be violated:

34 CFR § 300.111

Child Find

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

1. Provide training for all appropriate staff on the aforementioned regulations by 2/28/22;
2. Within ten (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;
3. Within 10 school days after receipt of this letter, JCS must convene an appropriately staffed IEP team, including Complainant, in order to:
 - a. Review any supporting documentation from Complainant regarding Student's suspected disability;
 - b. Determine if the district will pursue a comprehensive evaluation of Student and obtain appropriate parental consent for testing and explain procedural safeguards; or
 - c. If the district does not agree that Student is suspected of a disability, it must provide a PWN to Complainants of the refusal to evaluate. The notice must include the basis for the determination and an explanation of the process followed to reach that decision;
4. If the team determines to evaluate Student and Student is found:
 - a. not eligible for services: complete a not-eligible report and provide Complainant with a detailed PWN supporting the decision; or
 - b. eligible for services: complete an eligibility report and PWN, and develop an IEP which meets Student's needs and provides a free and appropriate public education (FAPE); and
 - c. If Student is found eligible for services, the IEP team must determine any need for compensatory education or services owed to Student;
5. Within ten (10) days after any team meetings, provide documentation to the department of all team decisions required under steps #3 and #4; and

6. If compensatory services are ultimately determined and agreed upon, JCS must, within ten (10) days of completion of all required compensatory services, send to the department final signed documentation by Complainant and district verifying completion.

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