

IDEA ADMINISTRATIVE COMPLAINT
18-25

Name of the school system:

Shelby County Schools (SCS)/Believe Charter Academy (BCA)

Description of the violations:

Failure to follow IDEA discipline requirements

Failure to provide IEP interventions and FAPE

Description of the laws or regulations determined to be violated:

34 CFR 300.530 "Discipline Procedures"

34 CFR 300.101 "Free appropriate public education"

34 CFR 300.209 "Treatment of charter schools and their students"

Corrective measures ordered by the department:

1. Host a training provided by the Tennessee Department of Education (TDOE) on the aforementioned regulations for all appropriate staff, including the district's Special Education Director, all members of SCS's Charter School Office, and representatives responsible for the provision of special education services from each charter school within SCS's jurisdiction. Training must be completed no later than 4/1/2019. Provide sign-in sheets for participants as documentation of appropriate staff participation.
2. Within 20 days of receipt of this report, conduct an IEP team meeting to re-address Student's most recent manifestation determination decision in light of Student's long behavioral history and limited opportunity for implementation of behavioral interventions due to expulsion. The team must also discuss and develop a plan of compensatory service for the 3 week period in November 2018 when services were not provided as well as for any services missed since the December 19, 2018 expulsion.
3. Provide the complaint investigator a status report on the results of the meeting within 10 days of it having been convened.
4. At the close of quarter 3 of the current school year, provide the complaint investigator with a report on Student progress on IEP goals as well as any other measures that have been put in place to document Student's progress levels/performance.

Final determination of the department:

The Department will monitor and document SCS/BCA compliance with corrective measures ordered.