

BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Sherwood School District)
88J)
)
)

CORRECTED¹
FINDINGS OF FACT,
CONCLUSIONS,
AND FINAL ORDER
Case No. 08-054-023

I. BACKGROUND

On June 3, 2008, the Oregon Department of Education (Department) received a letter of complaint from the parent of a student attending school and residing in the Sherwood School District (District). The parent requested that the Department conduct a special education investigation under OAR 581-015-2030.

Under federal and state law, the Department must investigate written complaints that allege violations of the Individuals with Disabilities Education Act (IDEA) and issue a final order within 60 days of receiving the complaint, unless exceptional circumstances require an extension.² On June 17, 2008, the Department sent a *Request for Response* to the District identifying the specific allegations in the complaint to be investigated. On July 1, 2008, the District timely submitted its *Response* to the allegations and sent the parents a copy.

The Department’s complaint investigator reviewed the information submitted by the District, and determined that on-site interviews were needed. However, due to unavailability of District staff, the Department extended the time-line for the investigation by fifty-four days. On August 19, 2008, the investigator conducted on-site interviews with the District’s English Language Learning (ELL) teacher, elementary school principal, psychologist, special education facilitator, regular education teacher, school counselor, and special education director. On August 20, 2008, the investigator conducted an additional on-site interview with a speech language pathologist (SLP). Also on August 20, 2008, the investigator conducted a telephone interview with a case manager with the Washington County Developmental Disabilities program. The investigator also met with the parent on August 20, 2008. The Department’s investigator reviewed and considered all of the documents and interviews.

II. ALLEGATIONS AND CONCLUSIONS

The Department has jurisdiction to resolve this complaint under OAR 581-015-2030 and 34 CFR 300.151-153. The allegations and the Department’s conclusions are set out in the chart below. The Department based its conclusions on the Findings of Fact (Section III) and the Discussion (Section IV).

¹ Following the initial issuance of the final order in this case, the original complainant requested that the Department reconsider the final order. Upon reconsideration of some facts that the complainant alleged were incorrect, the Department has corrected two findings of fact contained in this order. Changes made to the original text appear shaded in this version. The changes made do not affect the legal conclusions or corrective action contained in this order.

² OAR 581-015-2030 (12); 34 CFR 300.151-153.

No.	Allegations	Conclusions
(1)	<p><u>IEP Implementation and Services:</u></p> <p>The parent alleges that the District failed to implement the student's IEPs beginning with the student's IEP in effect on June 3, 2007 through the student's current IEP.</p> <p>(a) The parent alleges that the District failed to provide sufficient services to allow the student to substantially progress on the goals identified in the student's IEPs, and that the District refuses to acknowledge the District's responsibility of implementing the modifications and accommodations in the student's IEP. The parent further alleges that the District failed to provide sufficient reading and writing instruction and that the student remains at a "beginning reading level" and that the student cannot organize her thoughts to write, as she enters middle school, and that the student remains below grade-level.</p> <p>(b) The parent alleges that an evaluation obtained from "CDRC" shows that the student's motor and coordination skills are not in the normal range, and that the student's IEP inaccurately states that the student has grade-level motor skills and no services are provided in the student's IEP to address the student's motor and coordination skills.</p>	<p>Not Substantiated</p> <p>(a) The Department finds that the progress reports demonstrate significant progress towards all six of the student's goals in the IEP. District staff reported that they were aware of and implemented the IEP requirements including test-taking accommodations.</p> <p>The student is actually reading above the third grade level identified in the reading goal and made substantial progress toward the writing goal. The fact that the student is not at grade level in reading or writing does not mean that the District has not met its obligation to identify appropriate goals for the student and provide instruction and services sufficient to allow the student to make meaningful progress towards those goals. The Department does not find that the District failed to provide sufficient reading and writing instruction.</p> <p>Not substantiated</p> <p>(b) The issue presented in this case is whether the District must provide Occupational Therapy or Physical Therapy services. The student is able to perform the skills required for the curriculum in which she is enrolled, including the ability to participate fully in physical education, and the ability to hold a pencil properly and take notes from class discussions and copy words from the board, screen or other reading materials. The Department concludes that there is nothing in the records reviewed in this case that reveal that</p>

No.	Allegations	Conclusions
	<p>(c) The parent alleges that the District inappropriately removed the student from the English Language Learning (ELL) class for two-thirds of the 2007-2008 school year without notifying the parent and that the District thus failed to implement the student's IEP requiring ELL services. The parent further alleges that the IEP inaccurately states that the student had been "released from ELL class because it was clear from the CDRC evaluation that [the student's] communication difficulties are not the result of her being a nonnative speaker for the first part of her life." The parent alleges that the CDRC did not evaluate the student for the effects of being a nonnative speaker for the first six years of her life.</p> <p>(d) The parent alleges that the IEP in effect at the beginning of the 2007-2008 school year provided for involvement of the student in a "social group", but the District failed to implement this provision. The parent further alleges that when the parent asked at an IEP meeting why the student was not in a social group the District changed the terminology to</p>	<p>OT or PT services are necessary to allow the student to access the instruction and services provided by the District. The IEP team discussed this issue at the IEP meeting but was unable to reach consensus. District team members determined, in consultation with an occupational therapist, that no services related to the student's motor skills were necessary at the time.</p> <p>Substantiated</p> <p>(c) The Department agrees that ELL is not appropriately included as specially designed instruction on an IEP. The difficulty with the procedures concerning ELL in this case is that the District not only removed ELL from the IEP, but also failed to provide ELL from September 4, 2007 until February 15, 2008. The Department finds that the District failed to follow proper procedures to amend the IEP. District staff could have amended the IEP to remove ELL services as specially designed instruction prior to the October, 2007 IEP meeting by using the review and revision provision outlined in 300.324 and OAR581-015-2225. Exiting a student from ELL services must be done in accordance with the District's ELL Plan of Service, Section VI: Reassessment, Reclassification and Exiting. See Corrective Action.</p> <p>Not Substantiated</p> <p>(d) The Department finds that the District implemented the related services of "social group" and "social support", throughout the 2007-2008 school year, in the Hawk's Nest program and during the student's pull out time with the SLP.</p>

No.	Allegations	Conclusions
	"social training", but the student did not to the parent's knowledge receive social training as required in the IEP.	
(2)	<p><u>IEP Content and Placement</u></p> <p>The parent alleges that the student's April 4, 2008 IEP does not contain an appropriate placement. The parent alleges that the student's Spring 2007 IEP fails to sufficiently explain the placement of the student.</p>	<p>Not Substantiated³</p> <p>The District's placement was based on the available information. The description of "regular class with 51% pull out" and the description of "regular class with less than 61% of the day pulled out, described varying degrees of time removed from the regular classroom. The District did not further specify or explain the nature of the removal.</p>

III. FINDINGS OF FACT

Background:

1. The student is presently thirteen years old and has completed fifth grade. The student is eligible for special education as a student with "other health impairment" and a "communication disorder". The student will begin middle school in the fall of 2008.
2. The Department may address matters in this complaint occurring since June 2, 2007, just before the end of fourth grade for the student. The student's IEP in effect on that date is the student's October 2, 2006 IEP, as revised on April 23, 2007. This IEP provides for specially designed instruction in: speech/language for 30 minutes each week in the speech room, writing for 120 minutes each week in a small group in the resource room, mathematics for 120 minutes each week in a small group in the resource room, reading for 45 minutes four days each week in a small group in the resource room, and English Language Learning for 90 minutes each week in a small group (the ELL classroom). This IEP also provides goals and objectives in the areas of speech/language, reading, writing and mathematics. This IEP provides a placement of "regular class with less than 51% pull out."
3. In May of 2007, the Child Development and Rehabilitation Center (CDRC) at Oregon Health Sciences University completed evaluations concerning the student, and the parent shared the evaluations with the rest of the IEP team. The student's October 10, 2007 IEP reflects the CDRC evaluation information, in the Present Levels of Academic Achievement and Functional Performance (PLAAFP). The PLAAFP notes cognitive scores in "the impaired

³ OAR 581-015-2200(f) requires an explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and activities. The parent's allegation did not clearly specify this issue; therefore, the Department will address it with the District apart from this Final Order.

range” and “borderline impaired” range, and quotes the CDRC’s conclusion that the student “will require significant levels of educational support in order to teach her the skills that will be necessary for everyday functioning.” Concerning academic performance, the PLAAFP section of the IEP notes that the student needs a great deal of support for increasing reading comprehension, vocabulary and background knowledge.

4. The October 10, 2007 IEP provides for specially designed instruction in: speech/language for 45 minutes each week in the speech room, writing for 120 minutes each week in a small group in the resource room, mathematics for 120 minutes each week in a small group in the resource room, and reading for 45 minutes four days each week in a small group in the resource room. This IEP also provides related services of: a social skills group 60 minutes each month in “educational environment”, “check-in/check out program to discuss behavior; help with relationships and social norms” twice each day in the “Hawks Nest” and “break down motor activity into smaller parts while ensuring that each part is meaningful and achievable” daily during motoric activity in the educational environment.” The October 10, 2007 IEP also provides goals in the areas of speech/language (increase expressive, receptive and social language), reading (increase fluency and comprehension while reading material with her current 3rd grade vocabulary level), writing (independently write a three-paragraph essay demonstrating the six traits of writing), mathematics (apply correct math applications to problem solve areas in time, money, measurement, place value, and quantity using a calculator when needed), behavioral (identify and regulate feelings on a daily basis with 50% accuracy as measured by her behavior card) and daily living skills (demonstrate an understanding of social norms using the vocabulary of “that’s appropriate” or “that’s inappropriate” to code the behavior). The IEP contains 26 objectives related to the six goals.
5. During the 2007-2008 school year, the student’s day was comprised of the following: At the beginning and end of each school day, the student checks in and out with the “Hawks Nest”, a program staffed by either the school counselor or the resource room teacher. The Hawks Nest program allows both regular and special education students an opportunity to discuss their expectations for the day and to obtain daily point sheet. The daily point sheets are specific to each student and identify areas related to the IEP goals of special education students and provide a scoring system in each area. The student takes the point sheets to each class and obtains scoring from the District staff in the areas identified on the student’s point sheet. In this case, the five areas identified on the student’s point sheets during the 2007-2008 school year concerned the student’s “attitude about learning”, the student’s following of directions and emotional management skills (with each area detailed on the form). The Hawk’s Nest program occupied the first and last 15 minutes of the student’s school day.
6. After leaving the Hawk’s Nest, the student went to the regular classroom for math problem solving. The student then went with her regular education peers to either physical education or music every other day and library every fifth day. The student then returned to the regular classroom for either math problem solving or reading aloud. The student then left the regular classroom for reading instruction in the resource room, followed by recess. Until February 15, 2008, the student then returned to the regular classroom for the rest of the school day. After February 15, 2008 (following an IEP meeting on that date), the student went from recess to the ELL classroom for the rest of the school day. The student also left the regular classroom once a week to work with an SLP for 30 minutes until October of 2007, when the student’s time with the Speech Language Pathologist increased to 45 minutes each week.

IEP Implementation and Services

7. Review of the District's notes of the student's progress towards the student's goals during the 2007-2008 school year reveal that the student made progress towards all six of the student's goals. The objective of following "3-4 step directions with prompting" was not worked on until the final trimester of the 2007-2008 school year, presumably because the student was not at that point yet. The June 2008 progress report notes that the student is able to follow simple 2-3 step directions with familiar activities and cues. In reading, the student exceeded the goal (of reading 3rd grade passages at 60 words correct per minute with 90% accurate comprehension) by making significant progress on *fourth* grade reading. In writing, the student made progress on the goal (of independently writing a three-paragraph essay demonstrating the six traits of writing). In December of 2007, District staff noted improvement in the student's organization in pre-writing, and the detailing of two ideas, though not quite paragraphs. In March of 2008, District staff noted two samples of very strong paragraphs, and noted that the student was on track to meet this goal at this rate. In June of 2008, District staff noted progress on word choice, conventions, sentence fluency and organization, albeit with the help of the parent. The progress reports for all three trimesters of the 2007-2008 school year reveal progress on the student's remaining goals in the areas of math, behavior and daily living skills. District staff reported that they were aware of and implemented IEP requirements including test-taking accommodations.
8. The May, 2007 CDRC evaluation states that the student "is presenting with fine motor and gross motor coordination delays. Her cognitive level may affect some of [the student's] motor skills; however she is having some significant underlying coordination difficulties as shown by her scores on the OT tests today, leading to the diagnosis of developmental coordination disorder. Given that [the student] does have this underlying motor coordination piece she can benefit from lots of opportunity to practice motor skills, including lots of repetition." The District conceded in its Response that the PLAAFP section of the IEP incorrectly states that the student's "motor skills are at grade level"; this statement only appears in the student's April 21, 2008 IEP. The PLAAFP in both the student's October 10, 2007 and April 21, 2008 IEP states that the student is "fully able to participate" in physical education and that the student achieved "PE grades and effort and participation scores of Excellent to Satisfactory-plus". The student's October 10, 2007 and April 21, 2008 IEP also states that the classroom teacher reports that the student "is able to take notes from class discussions and copy words correctly from the board, screen, or other reading materials, and that the student's handwriting is legible, neat-ish block printing. She holds her pencil correctly."
9. District staff confirmed during the on-site investigation that the student possesses sufficient motor skill abilities to perform the tasks required of the student at school. For example, the student has very good handwriting and is able to take notes in an efficient and timely fashion. The IEP does provide for breaking down motor activity into smaller parts while ensuring that each part is meaningful and achievable, during motoric activity. This occurs during the student's physical education class. Other District staff reported no need to assist the student with motoric activity.
10. The student's October 2, 2006 IEP provided for specially designed instruction in ELL 90 minutes each week. The student attended the ELL class as required by the October 2, 2006 IEP. At the October 10, 2007 IEP meeting District staff determined that ELL is not a special education service and thus should not be included in the student's IEP. The October 10, 2007 meeting minutes state that ELL will be addressed at another meeting.

The PLAAFP section of the October 10, 2007 IEP states that the student “was released from ELL because it was clear from the CDRC evaluation that [the student’s] communication difficulties are not the result of her being a non-native speaker for the first part of her life.” The District did not pull the student from the regular classroom for ELL following the October 10, 2007 IEP meeting, until the February 15, 2008 IEP meeting. At the February 15, 2008 IEP meeting the IEP team discussed whether removing the student for ELL was a good idea, when the student was making significant progress in the regular classroom. However, the District, at the request of the parent, determined that the student would attend the ELL class 30 minutes a day, four days a week. The parent stated at the February 15, 2008 meeting that she was not aware the student had not been attending the ELL class since October of 2007. The May 2007 CDRC evaluation did not address ELL, other than to state that “in May 2006, [the student] was evaluated for English Language Development Program Placement. Results indicated eligibility for ELL due to very limited English proficiency.”

11. During the on-site investigation, District staff noted that they were faced with a dilemma concerning ELL placement, in that although the assessments administered did reveal eligibility for ELL services, District staff believes that the inability of the student to score well on the ELL-related assessment is not because of the student having a primary language other than English. The parent adopted the student at age 6 from a foreign country, but the parent reported that within six months of the adoption the student stopped speaking her native language entirely. Additionally, the student does not speak a second language at home and English is her only language. This is in stark contrast to other students in the ELL classroom. District staff believed that the student’s communication issues were due more to the student’s disabilities, including the student’s cognitive issues. District staff reported that they consulted with employees of the Department of Education and were eventually advised that because of the results of the ELL-related assessment, the District could not remove the student from ELL unless the parent agreed.
12. The student’s October 10, 2007 IEP provides, as a related service, “social skills group” 60 minutes a month in the “educational environment.” The District implemented this provision of the IEP during the student’s time in the Hawk’s Nest for up to 30 minutes each school day, and during the student’s pull out time with the SLP for 45 minutes each week. The SLP generally worked on the student’s communication and social goals with one other student but occasionally had a total of three other students present. The SLP worked with the student on particular areas, for example, body language and facial expression. After providing instruction to the student on the day’s particular area, the SLP would then have the students engage in role play in order to practice the skill.
13. During the February 15, 2008 meeting, the IEP team, **despite** objection from the parent, changed the language of the IEP concerning the related service of social skills “group” to social skills “support” and changed the description of the frequency of this related service to read “50m/month during social interactions.” The location of this related service remained “educational environment”. Following the change in the language of the IEP, the implementation of this related service did not change from that described in the previous finding.

IEP Content and Placement

14. The student’s October 2, 2006 placement document (in effect on June 3, 2007) provides a placement of “regular class with less than 51% pull out”. The student’s October 10, 2007 placement document provides a placement of “regular class with less than 61% of the day

pulled out". This placement remained in place following the February 15, 2008 and April 21, 2008, IEP meetings, and is the student's current placement. Additionally, there is no information about the nonparticipation justification. Students may receive many services but that does not automatically require pull-outs from the general education classroom.

IV. DISCUSSION

IEP Implementation and Services

Under the IDEA, school districts must develop and implement an IEP for each eligible child that is designed to ensure that the child receives a free appropriate public education (FAPE). 34 CFR 300.341. FAPE is defined as "special education and related services" that are: provided at public expense; meet state standards; include an appropriate preschool, elementary or secondary education; and are provided in conformity with an IEP. See 20 USC Sect. 1402(3). A school district meets its obligation to provide FAPE for an eligible child by complying with the procedural requirements of the IDEA and implementing an IEP reasonably calculated to enable a child to receive educational benefit. See *Hendrick Hudson Cent. Sch. Dist. V. Rowley*, 458 US 176, EHLR 553:656(1982). A written IEP must be in effect for each eligible child at the beginning of each school year, and school districts must implement the services, modifications and accommodations identified on each student's IEP. OAR 581-015-2220.

In this case, the parent first alleges that the District failed to provide sufficient services to allow the student to substantially progress on the goals identified in the student's IEPs, and that the District has not acknowledged its responsibility to implement the modifications and accommodations in the student's IEP. The parent further alleges that the District failed to provide sufficient reading and writing instruction and that the student remains at a "beginning reading level" and remains below grade-level.

The Department has reviewed the goals in the student's October 10, 2007 IEP and the progress reports provided by the District. The Department finds that the progress reports describe significant progress towards all six of the student's goals on the IEP. Concerning reading and writing, the Department finds that the District provided sufficient instruction and services to allow the student to make significant progress towards the student's IEP goals. District staff reported that they were aware of and implemented IEP requirements including test-taking accommodations. The District reported in the June, 2008 progress report that the student exceeded the annual goal for reading which was to read at third grade level passage at 60 words per minute with 90% accuracy in comprehension by making significant progress in fourth grade reading. The District also reported that the student made progress on the writing goal by writing, with the assistance of a teaching assistant or parent, a three paragraph essay demonstrating the six traits of writing. The fact that the student is not at grade level in reading or writing does not mean that the District has not met its obligation to identify appropriate goals for the student and provide instruction and services sufficient to allow the student to make meaningful progress towards those goals. The student met the reading goal. The District reported that the student made progress towards the writing goal. The Department does not find that the District failed to provide sufficient reading and writing instruction.

The parent also alleges that the CDRC evaluation concluded that the student's motor and coordination skills are not in the normal range, that the student's IEP inaccurately states that the student has grade-level motor skills and that no services are provided in the student's IEP to address the student's motor and coordination skills.

The Department finds that the April 21, 2008 IEP does state that the student's motor skills are at grade level, and that this conflicts with the CDRC evaluation. However, the issue presented in this case is whether the District must provide Occupational Therapy or Physical Therapy services. The student is able to perform the skills necessary for the general education curriculum, including the ability to participate fully in physical education, the ability to hold a pencil properly and take notes from class discussion and copy words from the board, screen or other reading materials.. The Department concludes that there is nothing in the records reviewed in this case that reveal that OT or PT services are necessary to allow the student to access the instruction and services provided by the District. The IEP team discussed this issue at the IEP meeting but did not reach consensus. District team members determined, in consultation with an occupational therapist, that no that no services related to the student's motor skills were necessary at the time. The Department does not substantiate the allegation that the student's IEP inappropriately failed to provide services to address the student's motor and coordination skills.

The parent also alleges that the District inappropriately removed the student from the ELL class for two-thirds of the 2007-2008 school year without notifying the parent and that the District thus failed to implement the student's IEP requiring English Language Learning (ELL) services. The parent further alleges that the IEP inaccurately states that the student has been released from the ELL class because it was clear from the CDRC evaluation that the student's communication difficulties are not the result of her being a nonnative speaker for the first part of her life. The parent also alleges that the CDRC evaluation did not address the effects of the student being a nonnative speaker for the first six years of her life.

The Department agrees that ELL is not appropriately included as specially designed instruction on an IEP. Though ELL services are not services properly included in an IEP, District staff cannot unilaterally modify an IEP without parent involvement. District staff could have amended the IEP to remove ELL services as specially designed instruction prior to the October, 2007 meeting by using the review and revision provision of the IDEA 2004. OAR 581-015-2225(2) allows the parent of a student with a disability and a school district to make changes to an IEP between annual IEP meetings by agreeing not to hold an IEP meeting to make these changes and instead to develop a written document to amend or modify the student's current IEP. It also appears that the District staff failed to provide the parent with actual notices of their action to remove the student from ELL services. The October 10, 2007 IEP, however, did include a statement in the Present Levels of Academic Achievement and Functional Performance (PLAAFP) that the District staff had recently released the student from ELL services. The Department finds that the District failed to follow proper procedures to amend the IEP. See Corrective Action.

The parent also alleges that the District failed to implement the "social group" requirement of the student's October 10, 2007 IEP and failed to implement the provision requiring "social support" when modified at the February 15, 2008 IEP meeting.

The Department finds that the District implemented the related services of "social group" and "social support", throughout the 2007-2008 school year, in the Hawk's Nest program and during the student's pull out time with the SLP. The Department does not substantiate this allegation.

IEP Content and Placement

OAR 583-015-2250 provides:
Placement of the Child

School districts must ensure that:

- (1) The educational placement of a child with a disability:
 - (a) Is determined by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options;
 - (b) Is made in conformity with the Least Restrictive Environment (LRE) provisions of OAR 581-015-2240 to 581-015-2255.
 - (c) Is based on the child's current IEP;
 - (d) Is determined at least once every 365 days; and
 - (e) Is as close as possible to the child's home;
- (2) The alternative placements under OAR 581-015-2245 are available to the extent necessary to implement the IEP for each child with a disability;
- (3) Unless the child's IEP requires some other arrangement, the child is educated in the school that he or she would attend if not disabled;
- (4) In selecting the least restrictive environment, consideration is given to any potential harmful effect on the child or on the quality of services which he or she needs; and
- (5) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.”

In this case, the parent alleges that the student’s IEPs and placement documents do not contain an appropriate placement and fail to sufficiently explain the placement of the student. The District’s placement was based on the available information. The description of “regular class with 51% pull out” and the description of “regular class with less than 61% of the day pulled out,” described varying degrees of time removed from the regular classroom.⁴ The District did not further specify or explain the nature of the removal. The District corrected its error related to ELL services.

⁴ See footnote 2.

V. CORRECTIVE ACTION⁵
In the Matter of Sherwood SD 88J
 Case No. 08-054-023

#	Action Required	Submissions ⁶	Due Date
(1)	<u>Training:</u> The District will provide training or to appropriate special education staff, case managers and administrators concerning: a. the development, review and revision of IEP ⁷ ; b. implementing the written IEP ⁸ ; and c. Prior written notice. ⁹	Evidence of completed training, including: 1. Agenda including date, time, and location; 2. Copy of presentation materials and presenter(s); and 3. Attendance roster with printed names, positions, and signatures of those attending;	October 17, 2008

Dated: December 3, 2008

Nancy J. Latini, Ph.D.
 Assistant Superintendent
 Office of Student Learning & Partnerships

Mailing Date: December 3, 2008

APPEAL RIGHTS: You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this Order with the Marion County Circuit Court or with the Circuit Court for the County in which you reside. Judicial review is pursuant to the provisions of ORS 183.484.

⁵ The Department's order shall include any necessary corrective action as well as documentation to ensure that the corrective action has been completed. OAR 581-015-2030 (13). The Department expects and requires the timely completion of corrective action and will verify that the corrective action has been completed as specified in any final order. OAR 581-015-2030 (15). The Department may initiate remedies against a party who refuses to voluntarily comply with a plan of correction. OAR 581-015-2030 (17 & 18).

⁶ Initial Verification: The Department will review the submitted documents. Corrective action and related documentation as well as any questions about this corrective action should be directed to Rae Ann Ray, Oregon Department of Education, 255 Capitol St. NE, Salem, Oregon 97310-0203; telephone – (503) 947-5752, Ext. 2311; e-mail: raeann.ray@state.or.us; fax number (503) 378-5156

⁷ §300.324 Development, review, and revision of IEP; OAR 581-015-2200 Content of IEP and OAR 581-015-2225 Review and Revision of IEPs; IEP Content, including nonparticipation justification, and

⁸ §300.323 When IEPs must be in effect; OAR 581-015-2215 When IEPs Must be in Effect

⁹ §300.503 Prior written notice; OAR 581-015-2310 Prior Written Notice

