

12. IEP 5/19/2014;
13. Emails 6/25/2014;
14. BLS Staff Schedule 8/28/2014;
15. Staff Schedule 8/28/2014;
16. Emails 9/3/2014;
17. Emails 9/3/2014;
18. Emails 9/3/2014;
19. Emails 9/4/2014;
20. Emails 9/4/2014;
21. Emails 9/4/2014;
22. Emails 9/4/2014;
23. Emails 9/4/2014;
24. Emails 9/5/2014;
25. Emails 9/6/2014;
26. BLS Staff Schedule 9/11/2014;
27. Staff Schedule 9/11/2014;
28. Emails 9/12/2014;
29. Staff Schedule 9/17/2014;
30. BLS Staff Schedule 9/17/14;
31. Emails 9/22/2014;
32. BLS Staff Schedule 10/16/2014;
33. Staff Schedule 10/16/2014;
34. BLS Staff Schedule 12/1/2014;
35. Staff Schedule 12/1/2014;
36. BLS Staff Schedule 1/5/2015;
37. Emails 1/21/2015;
38. Meeting Notice 4/9/2015;
39. Emails 4/9/2015;
40. PWN 4/23/2015;
41. PWN 4/23/2015;
42. Pre-Referral Meeting Notes 4/23/2015;
43. ASD Eligibility Statement 4/23/2015;
44. Prior Notice & Consent for Evaluation 4/23/2015;
45. Vision Impairment Eligibility Statement 4/23/2015;
46. CD Eligibility Statement 4/23/2015;
47. IEP 4/23/2015;
48. Emails 4/23/2015;
49. BLS Staff Schedule 4/28/2015;
50. Assessment Summary 6/4/2015;
51. Emails 8/17/2015;
52. BLS Staff Schedule 9/2/2015;
53. Staff Schedule 9/2/2015;
54. BLS Staff Schedule 9/11/2015;
55. Staff Schedule 9/11/2015;
56. BLS Staff Schedule 9/16/2015;

57. Emails 9/16/2015;
58. Emails 9/16/2015;
59. Staff Schedule 9/16/2015;
60. Emails 9/17/2015;
61. Emails 9/19/2015;
62. Seizure Log 9/28/2015;
63. Emails 9/30/2015;
64. BLS Staff Schedule 10/12/2015;
65. Staff Schedule 10/12/2015;
66. BLS Staff Schedule 10/19/2015;
67. Staff Schedule 10/19/2015;
68. Event Log 10/20/2015;
69. Seizure Log 10/21/2015;
70. Emails 10/21/2015;
71. Event Log 10/26/2015;
72. Academic Record 10/27/2015;
73. Student Schedule 10/29/2015;
74. BLS Staff Schedule 9/17/14;
75. Seizure Log 2015-2016;
76. Service Animal;
77. Emergency Response Chart;
78. Attendance Records 2015-2016.

On November 16, 2015, the Parent submitted a rebuttal letter for the Department's Investigator to review.

The Department's Complaint Investigator determined that on-site interviews were needed. On November 18, 2015, the Department's Investigator interviewed the Parents. On November 19-20, 2015, the Department's Investigator interviewed the District Special Education Director, Superintendent, two Case Managers,² Principal, four Educational Assistants, and the Nurse. The Complaint Investigator reviewed and considered all of these documents, interviews, and exhibits in reaching the Findings of Fact and Conclusions of Law contained in this order.

Under federal and state law, the Department must investigate written complaints that allege IDEA violations that occurred within the twelve months prior to the Department's receipt of the complaint and issue a final order within 60 days of receiving the complaint.³ This order is timely.

II. ALLEGATIONS AND CONCLUSIONS:

The Department has jurisdiction to resolve this complaint under 34 CFR §§ 300.151 – 153 and OAR 581-015-2030. The Parent's allegations and the Department's conclusions are set

² The case managers were the Student's elementary school and junior high school case manager.

³ 34 CFR §300.1510(2010)

out in the chart below. These conclusions are based on the Findings of Fact in Section III and on the Discussion in Section IV. This complaint covers the one-year period from October 15, 2014 to the filing of this complaint on October 14, 2015.⁴

	Allegations	Conclusions
1.	<p><u>Requirement for Least Restrictive Environment:</u></p> <p>The Parents allege that the District violated the IDEA when it did not provide “a one to one” adult support person to maintain the Student’s health and safety during school hours. Specifically, the Parents allege that the District agreed to provide an Educational Assistant for 6.5 hours only per day due to lack of funding. Consequently, the Student’s school day is 70 minutes shorter than students in the same grade level.</p> <p>(OAR 581-015-2240(1) & 34 CFR 300.114(a)(2)(i))</p>	<p>Not Substantiated.</p> <p>The Student’s IEP does not require that “a one to one adult support person” be provided to the Student, nor is there any evidence that the District failed to provide an Educational Assistant to the Student for the entire school day. Parents admitted to the Investigator that the District agreed to provide an Educational Assistant to the Student for the entire school day, but told the Investigator that they didn’t actually believe that the District would do so. The Parents unilaterally decided to keep the Student at home during first period because they did not approve of the Educational Assistant.</p>
2.	<p><u>When IEP’s Must Be In Effect:</u></p> <p>The Parents allege that the District violated the IDEA when it did not provide the Student with the services of the Educational Assistant as outlined on the IEP. Specifically, the Parents allege that the District violated the IDEA when the 6.5 hour per day Educational Assistant was removed from supervising the Student in order to work with others. As a result, the Student was left unattended several times while having a seizure.</p> <p>(OAR 581-015-2220(1)(b) & 34 CFR 300.323(c)(2))</p>	<p>Not Substantiated.</p> <p>The Student’s IEP requires that Teaching Assistant Support be provided to the Student “daily,” not that “a one to one adult support person” be provided to the Student. The Parents specifically agreed that the person supporting the Student could also be supporting other students at the same time in the mediated agreement with the District reached in November, 2010.</p>

⁴ See OAR 581-015-2030(5)(2008); 34 CFR §300.153(c)

3.	<p><u>Parent Participation – General:</u></p> <p>The Parents allege that the District violated the IDEA when it refused to consider the Parents' concerns about the shortened school day and the lack of Educational Assistant supervision of the Student on a consistent basis.</p> <p>(OAR 581-015-2190(1) & 34 CFR 300.501(b)(1)(i)(ii))</p>	<p>Not Substantiated.</p> <p>The District did not shorten the school day. The school day was shortened when the Parents unilaterally decided not to send the Student to school for first period. There is no evidence that the Student did not receive Educational Assistant supervision on a consistent basis.</p>
4.	<p><u>Free Appropriate Public Education (FAPE):</u></p> <p>The Parents allege that the District violated the IDEA when it did not provide a Free Appropriate Public Education by limiting the length of the Student's school day for staffing reasons instead of reasons based on the Student's needs. The Parents also allege that the District violated IDEA by removing the Educational Assistant to work with other students, and by refusing to consider the Parents' concerns about these matters.</p> <p>(OAR 581-015-2040; 34 CFR 300.101; 34 CFR 300.201)</p>	<p>Not Substantiated.</p> <p>The District did not limit the Student's school day. The Student's school day was limited when the Parents unilaterally decided not to send the Student to school for first period. The IEP does not provide for "a one to one adult support person," nor is there any evidence that the Parents' concerns were not considered during the May 19, 2014 IEP meeting.</p>
	<p><u>Proposed Corrective Action</u></p> <p>The Parents request an investigation into the District use of Special Education funding. [See Issues outside the Scope of IDEA Complaint Investigations.]</p>	<p>No corrective action is ordered in this case</p>

Issues outside of the Scope of IDEA Complaint Investigations

The Parents raised an issue that, as described, is not within the scope of IDEA and will not be investigated in this Complaint. This allegation relates primarily to management of school district funds for Special Education. The Parents allege that "federal and state funding providing support for this school district's IEP programs is regularly placed in the general fund and not 'directly' applied to the programs originally appropriated for". However, the Parents

do not specifically allege in their Complaint that their Student is not receiving appropriate services due to any misappropriation of funds nor do they allege that there is a systematic denial of services to other students due to misappropriation of funds. There is nothing within Title 15 of the Oregon Administrative Rules or 34 CFR Part 300 that grants authority to investigate and address these issues within the State Complaint Process provided in OAR 581-15-2030 and 34 CFR 152 under these circumstances.

Parents may address this concern by filing a complaint with the District using the District's adopted complaint process.

III. FINDINGS OF FACT:

1. The Student is fourteen years old, and resides in the District. The Student is eligible for Special Education as a student with Autism Spectrum Disorder, Visual Impairment, and Communication Disorder. The Student's initial eligibility was established in 2007. The Student was found eligible again for all three areas of disability on April 23, 2015.
2. The District holds classes four days per week throughout the school year. At the Junior High School, each class day starts at 7:55 a.m. and ends at 3:20 p.m.⁵ During the 2015-2016 school year junior high students will attend school for a total of 147 days. (<http://www.sweethome.k12.or.us/>)
3. On November 18, 2010, the Parents withdrew a complaint they had filed with the Department as a result of a successful mediation. Under the terms of the mediation agreement, the Parents and the District agreed that:
 - a. "A responsible adult will supervise the Student at all times during the school day. That supervisor need not always be an "assistant" or on a 1:1 basis. The classroom teacher may be the sole supervisor for brief periods."⁶
4. The District's Special Education Director uses a system of "weighting" to assign additional Educational Assistant support to each Special Education program in the District. In the spring before a new school year, the Director asks each Special Education teacher to review his or her case load for the upcoming year. The teachers are then to give information to the Director predicting which student in each classroom will need additional support due to behavior, medical, health, safety or other reasons. In August, before the school year starts, the Director drafts an allocation for each program and sends it to the school principals for review. The Director automatically assigns one-half hour per day to each student in each classroom with more severe needs. Additional hours are added based on each student's needs. The school principals hire and supervise the Educational Assistants in each school. As students move through the system, enter or leave the District, the allocations for Educational Assistant time changes.

⁵ There are four early release days in the year calendar during which Junior High students are released at 12:30 p.m.

⁶ Both the Parents and the District agreed to release a copy of the Mediation Agreement to the Department's Complaint Investigator.

5. At the start of the 2014-2015 school year, the Student received Special Education services in accordance with an IEP written on May 19, 2014. The IEP contained these elements:

IEP Element	Student Specific
Present Level of Academic Achievement and Functional Performance	<ul style="list-style-type: none"> • Enjoys using technology and is good at navigating the iPod Touch and computers; • Is strong in Math, and improving in Reading and Social Skills; • Took Extended Assessments in Read math and science during the 2013-2014 school year, and exceeded in science, met in reading, and nearly met in math; • Requires assistance reading and understanding content area text; • Participates with age-level class in PE, recess, lunch, science, as able; • Has frequent absences and health problems relevant to medication adjustments; • Benefits from having print enlarged to 14-18 font; • Has better hearing in the right ear; and, • Parents are concerned about the transition to Junior High School.
Statewide Assessment	<ul style="list-style-type: none"> • The Student will take Standard Extended Assessment in Reading/Literature, and Math with accommodations.
Districtwide Assessment	<ul style="list-style-type: none"> • The Student will take Regular Assessment in Reading with accommodations.
Goal - Reading	<ul style="list-style-type: none"> • When reading a selection or having a selection read, the Student will use resources such as table of contents, pictures, charts, graphs, or the story to look back on to draw conclusions about what is read and answer questions on 3 of 4 opportunities with 85% or better accuracy with two or fewer prompts/assistance.
Goal - Writing	<ul style="list-style-type: none"> • The Student will write on the topic that is given by the teacher, and use aspects of the writing process (e.g. drafting, editing, revising) to write a response of 1-3 paragraphs in length (introduction, 3-4 details, conclusion) that answers the question or requirements of the short essay with 80% accuracy on conventions and on 3 of 4 opportunities with minimal assistance by May, 2015.
Goal - Speech	<ul style="list-style-type: none"> • The Student will work on increasing intelligibility during conversational speech.
Goal - Math	<ul style="list-style-type: none"> • In one instructional year, given multiplication and division problems the Student will answer 2 digit by one digit (14 x 7 or 7/14) problems with 80% accuracy on 3 of 4 probes correctly with no assistance by May 2015.
Goal - Social	<ul style="list-style-type: none"> • The Student will engage in appropriate individual and group

	<p>conversations and adapt to classroom rules and expectations in each mainstream setting on 3 of 4 days as measured by 2 or fewer reminders for behavior during each period.</p>
Goal – Social Emotional	<ul style="list-style-type: none"> The Student will continue working on displaying cooperative school behavior on a daily basis by working for 30 minutes independently as measured by teacher observation in the regular classroom with one or fewer reminders to continue working on 3 of 4 observations.
Non-participation Justification:	<ul style="list-style-type: none"> The Student will be removed from the general education setting 50% of the day in order to receive specialized instruction in the basic life skills classroom. The Student will be in the general education classes for three periods a day the other 50% of the day. Speech provided in the Basic Life Skills (BLS) classroom. Reading, writing services for 120 minutes per week in BLS or general education setting, 120 minutes math in BLS room per week. Speech for 120 minutes a month in BLS and social skills for 15 minutes a day in SPED or general education classroom.
Explanation for Removal:	<ul style="list-style-type: none"> For speech and language therapy in a quiet environment with fewer distractions. For small group/individualized instruction in math and support for reading and writing. The Student will be in the general education classroom for the remainder of the day.
Extended School Year (ESY)	<ul style="list-style-type: none"> No.
Consideration of Special Factors	<ul style="list-style-type: none"> Student needs assistive technology devices or services; has communication needs; exhibits behavior that impedes the learning of self or others; is visually impaired and hard of hearing.
Service Summary – Specially Designed Instruction (SDI)	<ul style="list-style-type: none"> Reading – 120 minutes per week, general education and SPED; Written Language – 120 minutes per week, general education and SPED; Speech/Language – 120 minutes per month, SPED; Math – 120 minutes per week, SPED; Social Skills – 15 minutes per day, general education and SPED
Service Summary -- Related Services	<ul style="list-style-type: none"> Transportation – 2 times per day
Service Summary -- Supplementary Aids/Services; Modifications and Accommodations	<ul style="list-style-type: none"> Teaching Assistant Support – Daily at the School Site; School setting: Preferential Seating – 180 minutes daily, general education; Instructional Materials: Large print materials – 1 x per required handout, general education; Visual Aid – 30 minutes a week, school site;

	<ul style="list-style-type: none"> • Therapeutic Touch – When needed, during seizures or when feeling anxious; SPED and general education; • Special food choice appropriate for Student - daily, school site; • Instructional materials: Extra time for completion – 15 minutes daily, SPED and general education; • Instructional materials – Reduce amount of work to demonstrate proficiency – 15 minutes daily, general education; • Teaching mode: Read directions, grade level materials and tests aloud – 30 minutes weekly, SPED and general education; • Student behavior: Quiet/safe place to self-compose or decompress – 15 minutes daily, all school sites; • Instructional materials: Assistive devices, personal I Pad; - 180 minutes daily, general education and SPED; • Support Tools: Word processor for compositions longer than 1 paragraph – 30 minutes per month, general education; and, • Breaks or walks – 5 minute break/daily, all school sites.
<p>Service Summary -- Supports for School Personnel</p>	<ul style="list-style-type: none"> • Consultation: Autism – 60 minutes per month, school site; • Consultation: Vision – 30 minutes per month, school site; and, • Consultation: Nursing – Annual review of seizure protocol or when new personnel assigned to student, school site
<p>Placement Determination</p>	<ul style="list-style-type: none"> • Speech/Articulation and Language services in the BLS. Academic services provided in BLS and general education with assist. One-half BLS and one-half academics (3 classes) with support.

6. During the discussion about placement at this IEP meeting, May 19, 2014, the team agreed that the Student would be enrolled in three general education classes and would have a teaching assistant there in order to help with the work. In addition, the team agreed that:
 - a. "As we do not expect the Student to be able to be in the classroom the entire time, the teacher plans on fading the Student into the classroom, participating with the class for at least 15 minutes or as long as it is beneficial in order to get the instruction...then the Student and the Assistant would go to a quiet environment where the Student can complete the work if the Student cannot focus in the classroom".
7. The team also noted in the minutes of this meeting that the Parent verbally agreed to this placement plan, but did not sign the Placement Determination page. Instead, the Parent stated:

- a. "The teacher⁷ in the BLS classroom will be the home room if the Student attends next year. You also know we had planned on mainstreaming at least 3 classes with a suitable assistant".
8. On May 19, 2014, the District sent the Parents a Prior Notice of Special Education Action outlining the plan for the Student's transition in the fall to the Junior High School. Under the section on "Other Factors Considered by the Team", the District wrote that:
- a. "IEP [T]eam does not decide the teaching assistant for next year as it is up to the district and Principal to hire an appropriate person who is qualified for the position."
9. On April 23, 2015, the IEP Team met again. The Team discussed all sections of the IEP. The only changes from the previous IEP (May 19, 2014) are listed in the chart below:

IEP Element	Student Specific
Present Level of Academic Achievement and Functional Performance	<ul style="list-style-type: none"> Statement added that "Stressors can trigger seizure activity"; and, Statement added that Parents asked about cross-training with the previous educational assistant".
Goal	<ul style="list-style-type: none"> Reading Goal was removed from IEP. All other goals are exactly the same.
Non-participation Justification	<ul style="list-style-type: none"> Same as previous IEP, except that Reading is still listed as being provided for 120 minutes weekly in SPED and general education.
Service Summary – Specially Designed Instruction (SDI)	<ul style="list-style-type: none"> Reading is deleted. All other SDI is the same as previous IEP.
Service Summary – Related Services	<ul style="list-style-type: none"> Occupational Therapy is listed for "minutes" monthly in the SPED classroom.
Service Summary -- Supplementary Aids/Services; Modifications and Accommodations	<ul style="list-style-type: none"> Added, "Instructional Materials - Copy of notes provided for Student to highlight". All other aids and services are the same.
Service Summary -- Supports for School Personnel	<ul style="list-style-type: none"> Same as previous IEP.
Placement Determination	<ul style="list-style-type: none"> BLS as home room, half time BLS classroom, and half time general education class setting (at least 3 classes) with assistant support.

10. When the school year started on September 1, 2015, the Student did not attend. Since August 17, 2015 District staff and the Parents had been exchanging emails regarding how much educational assistant time the Student would be assigned, and exactly which

⁷ It is relevant to note that the teacher in the BLS classroom is also the Student's Aunt.

assistants would be assigned to the Student. In an email written on August 20, 2015, the Special Education Director informed the Basic Life Skills teacher and the Junior High School teacher that the Director and the Parent had made an agreement. The District agreed to:

- a. Build a safe, supervised schedule for the Student;
- b. Assign an assistant to the Student for the full day, with the understanding that the assistant could also assist other students at the same time;
- c. Split the assistant time between two different individuals⁸; and,
- d. Provide a day or two of cross training for the Basic Life Skills assistants, to be conducted by the Student's elementary assistant.

The Director also noted in the email that the Parent would not send the Student to school until all of the above had been "sorted out".

11. The Student actually began attending classes on September 9, 2015. Between September 3, 2015 and October 13, 2015; the Student missed 9.5 days out of a possible 26 days of school. Three of these days are recorded as "Other Excused", 4.5 of the days are recorded as "Illness", and two of the days are recorded as "Unexcused". Originally, the District expected that the Student would attend for a full day, starting at the Junior High School time of 7:55 a.m. However, when the Parents learned which Educational Assistant had been assigned to the Student by the Basic Life Skills teacher to supervise the Art class, the Parents removed the Student from school because they believed this particular assistant was "not a good fit".
12. On October 14, 2015, the Basic Life Skills teacher wrote to the Special Education Director and stated that the Student could not come to school without educational assistance coverage, and there was no coverage available until second period. In addition, the Basic Life Skills teacher wrote that there was no coverage for the Student during the Break (9:58-10:58 a.m.) and the first 15 minutes of the next class period.
13. However, the Basic Life Skills teacher's classroom schedule for Educational Assistants lists the teacher and one assistant⁹ as being assigned to the classroom on that date.
14. The Special Education Director, Superintendent and the School Principal stated to the Complaint Investigator that at various times, each had assured the Parents that educational assistant supervision would be available for the full day when the Student began attending a full day. The Parents agree with this, but also stated they did not believe the District staff's assurances. At no time were the Parents instructed not to bring the Student to School, nor were they told that there would be no Educational Assistant in the Student's classroom.
15. The Parents filed the Complaint on October 14, 2015.

⁸ The Parents had informed the District that they did not want two specific people (already EA's in the BLS class) to work with the Student, and the Director included this information in the email.

⁹ This particular assistant is one that the Parents requested not be assigned to the Student.

IV. DISCUSSION

Requirement for Least Restrictive Environment:

The Parents allege that the District violated the IDEA when it did not provide “a one to one” adult support person to maintain the Student’s health and safety during school hours. The Parents also allege that the District only agreed to provide an Educational Assistant for 6.5 hours during the school day due to lack of funding and as a consequence, the Student’s school day is 70 minutes shorter than students in the same grade level.

OAR 581-015-2240 & 34 CFR § 300.114 require that to the maximum extent appropriate, children with disabilities are to be educated with their non-disabled peers.

There is no evidence that the District only agreed to provide an Educational Assistant for 6.5 hours per day in the present case. The District did not agree to provide a “one to one” adult support person, nor is one required by the Student’s IEP. The District did agree to provide an Educational Assistant for the entire school day; however, the Parent did not approve of one of the Educational Assistants and therefore chose not to send the Student to school for the Student’s first period class.

This allegation is not substantiated and no corrective action is ordered.

When IEP’s Must Be In Effect:

The Parents allege that the District violated the IDEA when it did not provide the Student with the services of the Educational Assistant as outlined on the IEP. Specifically, the Parents allege that the District violated the IDEA when the 6.5 hour per day Educational Assistant was removed from supervising the Student in order to work with others and as a result, the Student was left unattended several times while having a seizure.

A District meets its responsibility to a student with a disability when the district has an IEP in place for the student at the beginning of the school year; and when the district provides the Special Education and related services to the student in accordance with the IEP. OAR 581-015-2220, 34 CFR 300.323.

The District never removed the Educational Assistant from supervising the Student to work with others as alleged by the Parent. There was no provision in the Student’s IEP for a “one to one” Educational Assistant. The District agreed to provide an Educational Assistant for the entire school day; however, the Parent did not approve of one of the Educational Assistants and therefore chose not to send the Student to school for the Student’s first period class.

This allegation is not substantiated and no corrective action is ordered.

Parent Participation – General:

The Parents allege that the District violated the IDEA when it refused to consider the Parents' concerns about the shortened school day and the lack of educational assistant supervision of the Student on a consistent basis.

Pursuant to OAR 581-015-2205 and 34 CFR § 300.501, the IEP Team must consider the concerns of the parents in developing, reviewing and revising the child's IEP.

The Parent was present for the Student's IEP meeting on April 23, 2015. There is no evidence that a shortened school day was discussed at that time, nor was it written into the Student's IEP at that time. The IEP Team never decided to shorten the Student's school day; the Parents simply decided to keep the Student home during the first hour class due to their displeasure about the Educational Assistant assigned to that class.

This allegation is unsubstantiated and no corrective action is ordered.

Free Appropriate Public Education (FAPE):

The Parents allege that the District violated the IDEA when it did not provide a Free Appropriate Public Education by limiting the length of the Student's school day for staffing reasons instead of reasons based on the Student's needs. The Parents also allege that the District violated IDEA by removing the Educational Assistant to work with other students, and by refusing to consider the Parents' concerns about these matters.

Under the IDEA, a school district 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).¹⁰ 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.¹¹ Special Education means specially designed instruction ...to meet the unique needs of a child with a disability, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical education. Specially designed instruction means adapting as appropriate to the needs of an eligible child, the content, methodology or delivery of instruction.¹² A school district or program 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 benefits.¹³

The Student's IEP does not require that a "one to one" Educational Assistant be assigned to the Student, nor did the District shorten the Student's school day. The Student's school day was shortened when the Parents unilaterally decided to keep the Student home during the

¹⁰ 34 CFR §300.341

¹¹ See 20 USC § 1402(8).

¹² 34 CFR § 300.39(a)(1)(2)

¹³ See *Hendrick Hudson Cent. Sch. Distr. V. Rowley*, 458 US 176, EHLR 553:656 (1982)

Student's first period class due to their disapproval of the Educational Assistant assigned to that class.

This allegation is unsubstantiated and no corrective action is ordered.

V. CORRECTIVE ACTION¹⁴

In the Matter of Sweet Home School District 55
Case No. 15-054-036

There is no corrective action ordered in this matter.

Dated: this 10th Day of December, 2015



Sarah Drinkwater, Ph.D.
Assistant Superintendent
Office of Learning/Student Services

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.

Mailing Date: December 10, 2015

¹⁴ 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)).