

BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Sheridan School District)
48J)
)
)

FINDINGS OF FACT,
CONCLUSIONS,
AND FINAL ORDER
Case No. 16-054-010

I. BACKGROUND

On April 7, 2016, the Oregon Department of Education (Department) received a Request for Complaint Investigation from the parent Parent) of a student (Student) residing in the Sheridan School District (District). The Parent requested that the Department conduct a special education investigation under OAR 581-015-2030. The Department confirmed receipt of this Complaint on April 8, 2016 and provided the District a copy of the Complaint on April 8, 2016

On April 12, 2016, the Department sent a *Request for Response* (RFR) to the District identifying the specific allegations in the complaint to be investigated and establishing a *Response* due date of April 26, 2016. The District completed its *Response* that was received by the Department on April 25, 2016. The Department subsequently forwarded the District's *Response* to the Investigator, the *Response* being received by the Investigator on April 27, 2016. The District also made its *Response* available to the Parent who retrieved the materials pursuant to an appointment with the District on April 26, 2016. The District's *Response* included a narrative response, exhibit listing, and the following documents:

1. Disciplinary Referrals 4/3/15 – 3/9/16
2. Emails between Parent and Vice Principal 9/16/15 – 9/30/15
3. Email from Parent to School Administration requesting meeting regarding Student's classroom issues 9/30/15
4. Emails between Parent and Student's Teacher regarding assignments and discipline 10/8/15 – 10/14/15
5. Email between Vice Principal and Parent regarding possible Special Education evaluation for Student 10/13/15.
6. Email between District Personnel regarding Parent request for evaluation 10/14/15
7. Email between Parent and Special Ed Department regarding initial meeting 10/23-10/29/15
8. Email from District offering Parent meeting times 11/2/15
9. Prior Written Notice re: Special Education Action, Decision to Evaluate 11/2/15
10. Student Assessment List 11/2/15
11. Assessment Planning and Meeting Notes 11/2/15, blank
12. Student Referral for Initial Evaluation 11/2/15
13. Email between Parent and Principal regarding security issues 11/3-11/5/15
14. Prior Written Notice – Consent for Evaluation, signed by Parent 11/5/15
15. Authorization to Disclose Health Records executed by Parent 11/5/15
16. Meeting follow up email between Parent and District 11/7/15
17. Emails between District and WESD 12/8/15 – 4/13/16
18. Emails between District and Parent regarding meeting dates and "school" premises 12/11/15 - 1/22/16
19. Emails between Parent and District regarding dates to reschedule meeting January 19, 2016 – 1/25/16
20. Email from Principal to Parent regarding IEP meeting 1/22/16

21. Student Grade and Academic Report 1/28/16
22. Refocus Form 2/10/16
23. Student Medical Records 2/18/16
24. Agreement to Avoid Conflict and Possible Altercation 2/22/16
25. Diagnostic Evaluation report by School Psychologist
26. Woodcock Johnson IV Test results – Parent Report
27. Woodcock Johnson Test of Cognitive Abilities – Parent Report
28. Agreement between Parent and District to extend evaluation deadline, unsigned
29. Notice of Team Meeting dated 2/23/16
30. Meeting Notes (typewritten) 2/23/16
31. Statement of Eligibility for Special Education Services 2/23/16
32. Rough draft of IEP 2/23/16
33. Blank IEP meeting notes 2/23/16
34. Prior Written Notice—Consent for Initial Provision of Special Education Services signed by Parent 2/23/16
35. IEP meeting notes (handwritten) 2/23/16
36. IEP meeting notes (typewritten) 2/23/16
37. Prior Written Notice of Special Education Action 2/23/16
38. IEP 3/8/16
39. IEP meeting notes (handwritten), notated “Eden’s copy” 3/8/16
40. Special Education Placement Determination 3/8/16
41. Prior Written Notice 3/8/16
42. Behavior Specialist in class observation report 3/8/16
43. Email from Parent to Student’s teachers advising of Student’s placement on IEP 3/15/16
44. Email from Special Ed Teacher advising Student’s teachers of existing IEP and summarizing same 3/15/16
45. Student’s attendance report (including reasons for absences) for school year 2015-2016
46. Student’s attendance record for school year 2015-2016 as of 3/16/16
47. Inter-district email regarding Parent’s request for meeting with all of Student’s teachers 3/29/16
48. Email between Parent and District regarding possible IEP meeting 4/7 & 4/8/16
49. Email from Parent to District regarding testing of Student 4/14/16
50. Student dashboard report regarding discipline 4/18/16
51. Local Service Plan between District and Willamette Educational Service District
52. Student Progress Reports

Further, after the in-person interviews with the District, the District submitted the following documents, none of which were requested by the investigator.

- A. Flow chart of all students that forewent services or evaluations, including Student
- B. Flow chart of all Students with “60” Eligibility whose Behavioral Services went unmet.

The Investigator did not receive any documentation from the Parent within the given deadline. At the in-person interview, the Parent presented the Investigator with the following documents that the Investigator did not request.

1. Student’s Report Cards for 2014-2015 school year
2. Student’s Report Card 10/27/15
3. Student Diagnostic Report – Enterprise Test 11/5/15
4. Diagnostic Evaluation from District 12/9/15 & 2/17/16
5. Woodcock Johnson Profile Report 2/17/16
6. Parent Report of Woodcock Johnson Test of Cognitive Abilities 2/17/16

7. Woodcock Johnson Test of Achievement; Explanation of statistics
8. Statement of Eligibility 2/23/16
9. Prior Notice and Consent for Initial Provision of Special Education Services signed by Parent 2/23/16
10. Prior Written Notice re: Identification 2/23/16
11. Meeting Notes (handwritten, unknown author) 2/23/16
12. Eligibility Meeting Notes 2/23/16, typewritten unknown author
13. Student Medical Records from Grand Ronde Health & Wellness Clinic
14. Statewide Assessment: Individual Student Report School Year 2014-2015
15. Report Card for Reporting Period 2 -- Sixth Grade
16. IEP Meeting Notes 2/23/16
17. Draft IEP 3/8/16
18. Student's IEP 3/8/16
19. Portions of psychological evaluation of Student 3/25/16
20. Portions of psychological evaluation of Student 3/25/16
21. Interim Progress Report 4/5/16
22. Handwritten IEP cover note from District to Parent 4/7/16
23. IEP "Snapshot" for Student
24. Phone conference notes regarding private evaluation 4/7/16
25. Student's Permanent Record
26. Email Correspondence between Parent and District
27. Student Discipline Reports
28. Contract list of persons familiar with Student
29. Parent supplemental statement
30. Student's Permanent Record
31. Email Correspondence between parent and District
32. Student Discipline Reports
33. Contact list of persons familiar with Student
34. Parent supplemental statement

The Department's Complaint Investigator determined that on-site interviews were required. On May 13, 2016 the Department's Complaint Investigator interviewed the Student's Special Education Teacher, the District's Special Education Director, and the school's Assistant Principal as well as the Parent who was accompanied by her Advocate. The Department's Investigator reviewed and considered all of these documents, interviews, and exhibits in reaching the findings of facts 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 sixty days of receiving the complaint; the timeline may be extended if the District and the Parent agree to extend the timeline in order to participate in mediation, or if exceptional circumstances require an extension.¹ 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 out in the chart below. These conclusions are based on the Findings of Fact in Section III and the

¹ OAR 581-015-2030 (12)

Discussion in Section IV. This complaint covers the one year period from April 8, 2015 through April 7, 2016.

Allegations	Conclusions
<p>1. General Evaluation and Reevaluation Procedures</p> <p>The Parent alleges that the District violated the IDEA because it did not timely evaluate the Student within sixty (60) school days after the Parent had signed Consent for Evaluation.</p> <p>(OAR 581-015-2110; 34 CFR 300.301)</p>	<p><u>Substantiated.</u></p> <p>The District failed to complete the Student's evaluation within sixty school days from the Parent's consent. The Parent did not consent to extend the timeline for the evaluation under OAR 581-015-2110 and did not fail to provide the Student for the evaluation, nor was the Student a transfer student.</p>
<p>2. <u>Access to Student Education Records</u></p> <p>The Parent alleges that the District violated the IDEA because it did not give the Parent a copy of the Student's March 8, 2016 IEP.</p> <p>(OAR 581-015-2300; 34 CFR 300.501; 34 CFR 300.322)</p>	<p><u>Not substantiated.</u></p> <p>The record shows that the Student was given a copy of the IEP to be taken home and that the Parent obtained a copy of the Student's IEP at no charge to the Parent.</p>
<p>3. <u>IEP Team Considerations and Special Factors</u></p> <p>Parent alleges that the District violated the IDEA because it did not respond to the Parent's request for an IEP Team Meeting.</p> <p>(OAR 581-015-2205, OAR 581-015-2190; 34 CFR 300.501)</p>	<p><u>Not substantiated.</u></p> <p>The District responded to a request for the meeting but there was no indication that the Parent was requesting a formal IEP Meeting at that time. The Parent subsequently made a request for a formal IEP Meeting on March 28, 2016 and thereafter, the Special Education Teacher offered various dates to meet for an IEP Meeting; however the Parent did not respond to this offer.</p>
<p>4. <u>Content of IEP and Behavioral Support Plan</u></p> <p>The Parent alleges that the District violated the IDEA because the IEP developed for the Student does not include positive behavioral interventions, strategies or supports that address the Student's continual behavioral and disciplinary problems.</p>	<p><u>Substantiated in Part.</u></p> <p>The District did fail to complete the evaluation within the statutory time period; hence the IEP did not include components necessary to address the Student's behavioral issues. Without this evaluation being completed, it is impossible to determine precisely all of the behavioral components that should have</p>

(OAR 581-015-2200; 34 CFR 320.324)

been included in the Student's IEP, but the District had sufficient evidence of the Student's behavioral issues to include at least some meaningful positive behavioral interventions, strategies or supports.

REQUESTED CORRECTIVE ACTION:

The Parent requests that the Student's IEP be amended to include the results of any and all behavioral testing, that the amended IEP include any new supports, accommodations or modifications, and that the amended IEP be implemented immediately. The Parent should receive a copy of the Student's IEP. The Student should have a functional behavioral assessment and a behavioral intervention plan should be completed for the Student. The District should reimburse the cost of the Student's private evaluation. The District should ensure that the IDEA procedures regarding discipline are followed in regard to the Student.

III. FINDINGS OF FACT

1. The Student is twelve years old and attends 6th grade in the Sheridan School District.
2. The Student received Special Education services from June 8, 2007 through May 17, 2012 for a hearing impairment. The Student was exited from Special Education after failing to qualify for services in the 2nd grade.
3. The Student was referred for evaluation in October 2014 because the Student was struggling with impulse control as well as Attention Deficit Disorder (ADD). However, the IEP Team decided an evaluation was not needed because the Student was still making progress in the general curriculum. The Student was offered extra assistance in school and was going to do extra work at home using math flashcards and focusing on reading.
4. On October 5, 2015, the Parent expressed concerns to the District regarding the Student's progress. The Parent also expressed concern with the number of disciplinary referrals the Student was receiving and with the Student's out of control behaviors. In response, the District started discussing the possibility of a 504 plan.
5. The Student received a three-day suspension on October 21, 2015 for threatening to kill another student and has also been suspended for suggesting to other students that they kill themselves.
6. On October 13, 2015, the Parent requested that the District evaluate the Student to ascertain if the Student qualified for Special Education services.
7. On November 2, 2015, the District initiated a Student Referral for an initial evaluation for Special Education services was developed and began assessment planning. The District sent a Prior Written Notice to the Parent on November 2, 2015 advising of the District's decision to evaluate the Student for Special Education services.

8. The Parent signed a Consent for Evaluation form on November 5, 2015.
9. After receiving the request for evaluation, the District began a Response to Intervention strategy for the Student's behavioral problems that included a "check in/check out" process as well as positive reinforcement.
10. The District began the evaluation process for the Student, administering the Woodcock Johnson Tests of Academic Achievement IV on February 17, 2016 and the Woodcock Johnson Tests of Cognitive Abilities, administered on February 9, 2016. The School Psychologist who also performed the classroom observation administered these tests.
11. The District contracted with the Willamette Educational Service District (WESD) during the 2015-2016 School Year for behavioral and psychological testing as well as for behavioral services.
12. WESD informed the District's Special Education Director on December 8, 2015 that WESD was unable to provide the behavioral evaluation. On January 12, 2016, the District received notice from WESD that the Behavioral Specialist was ill and might be unable to return to her duties.
13. The District did not attempt to find another behavioral specialist to complete the evaluation of the Student.
14. The District received a Medical Statement from the Student's physician indicating that the Student had "Possible ADHD."
15. The Student's Eligibility Meeting was held on February 23, 2016. The Student was determined to be eligible for Special Education services based on Specific Learning Disabilities (SLD) in Reading Comprehension, Listening Comprehension, Mathematics Calculation, and Mathematics Problem Solving. The Parent signed the Consent for Initial Provision of Special Education Services at this time. The Team completed the Initial Eligibility portion of the meeting but ran out of time to complete the IEP. Thereafter the remaining portion of the IEP Meeting was held on March 8, 2016.
16. At the February 23, 2016 meeting, the District explained to the Parent that the behavioral testing was not complete due to the problems with WESD staff. The District requested that the Parent sign a Written Agreement to extend the original evaluation consent to complete the behavioral piece of the evaluation, which the Parent refused to sign. Therefore, the IEP did not include any behavioral intervention plan or any functional behavioral analysis.
17. During the February 23, 2016 Eligibility Meeting, the Parent expressed concerns over the provision of Extended School Year (ESY). The District and the Parent then agreed to defer any decision on ESY until May 2, 2016 when data could be compiled regarding the Student's Eligibility.
18. During the March 8, 2016 IEP Meeting, the IEP Team acknowledged that behavior is still a concern, but the use of a "check-in/check-out" system had resulted in a slight behavioral improvement. The IEP indicates that the IEP Team was conducting further evaluations in the area of the Student's behavior.

19. The District hired an Independent School Psychologist to complete a Behavioral Evaluation on this Student. However, as of May 2, 2016 this evaluation had not been completed.

20. The Student's Service Summary for the Student's initial IEP is as follows:

Specially designed instruction	Anticipated Amount/ Frequency	Anticipated Location	Start Date	End Date	Provider	Role Responsible for Monitoring
Language Arts	400 minutes monthly	All school sites	3/9/2016	3/7/2017	LEA	Special Ed Teacher
Math	100 minutes monthly	All school sites	3/9/2016	3/7/2017	LEA	Special Ed Teacher

Supplementary Aids/Services; Accommodations	Anticipated Frequency	Anticipated Location	Start Date	End Date	Provider	Role Responsible for Monitoring
Instructional materials: copy of notes provided	6 times per day	General Ed Classroom	3/9/2016	3/7/2017	LEA	General Ed Teacher
Extra time for completion of assignments, quizzes and tests	6 times per day	General Ed Classroom	3/9/2016	3/7/2017	LEA	General Ed Teacher
Instructional materials: Graphic organizers	6 times per day	General Ed Classroom	3/9/2016	3/7/2017	LEA	General Ed Teacher
Reduce amount of work	Option for student to have assignments shortened by 25%	General Ed Classroom	3/9/2016	3/7/2017	LEA	General Ed Teacher

21. Following the March 8, 2016 IEP Meeting, the Special Education Teacher emailed all of the Student's teachers verifying that they had received copies of the Student's IEP and also a copy of a document entitled "IEP Snapshot". The Special Education Teacher also provided a brief synopsis of the accommodations for the Student in the email as well as a reminder that the Student was on a "check-in/check-out" system and the Team was continuing to "pursue the behavior piece of [the Student's] education plan."

22. On March 15, 2016, the Parent emailed all of the Student's teachers notifying them that the Student was now on an IEP. The Parent also requested a meeting with the Student's core teachers for April 7, 2016 at 3:00 pm to ensure the Student's needs were being met. The email did not include a specific request for an IEP Meeting.

23. On March 25, 2016, a licensed psychologist completed a private evaluation on the Student at the Children's Program in Portland, Oregon. The psychologist expressed his willingness

to participate in the Student's next IEP Meeting. However, upon receipt of these results, the Parent decided to withhold the results because the evaluation contained some personal details about the Student that the Parent did not want to share with the District, and because she was angry about the way the District handled her child's education and evaluation.

24. On March 28, 2016, the Parent contacted the Special Education Teacher and requested an IEP Meeting. There was some difficulty scheduling this meeting due to Parent-Teacher Conferences, but the Special Education Teacher offered to have this meeting on either April 20, 2016 or April 27, 2016. The Parent never responded to this offer.
25. On March 29, 2016, the Parent telephoned one of the Student's teachers and advised the Teacher that the Parent was having the Student independently evaluated and would like the results of the private evaluation included in the Student's IEP. The Parent also inquired if the Teacher would contact the Special Education Teacher to set up a meeting with all the Student's teachers. The Parent did not contact the Special Education Teacher regarding the evaluation or the request for a meeting.
26. On April 7, 2016, the Special Education Teacher emailed the Parent and notified her that the Student had been given a copy of the March 8, 2016 IEP. The IEP packet included a handwritten note from the Special Education Teacher as well as an "IEP Snapshot" that summarized the contents of the IEP. The Special Education Teacher placed the IEP in a sealed manila envelope and gave it to the Student on April 7, 2016. The Parent confirmed receipt of the IEP.
27. The Parent filed this Complaint with the Department on April 7, 2016.

IV. DISCUSSION

Section 1: General Evaluation and Reevaluation Procedures

The Parent alleges that the District violated the IDEA because it did not timely evaluate the Student within sixty (60) school days after the Parent had signed a Consent for Evaluation. (OAR 581-015-2110, 34 CFR 300.301)

An evaluation must be completed within sixty (60) school days from the date the Parent signed the consent to perform the evaluation.² The evaluation must be completed unless the District and the Parent mutually agree, in writing, to an extension.³ A District is alleviated from completing an evaluation within sixty (60) days if there are circumstances outside the District's control which prevent the completion of the evaluation.⁴

In this case, the Parent signed the consent for the evaluations on November 5, 2015. Thereafter the District had until February 24, 2016 to complete the evaluations for the Student. The District was to test the Student for cognitive and academic ability and was to evaluate the Student's behavior as well. The District did complete the cognitive and academic evaluations in a timely manner on February 9, 2016 and February 17, 2016.

² OAR 581-015-2210(5)

³ 34 CFR 300.309(c)

⁴ OAR 581-015-2110(5)(c)(A)

The District had entered into a contract with Willamette Educational Service District (WESD) to perform behavioral services and evaluations for the District for school year 2015-2016. However on January 12, 2016, the District received notice from WESD that the individual who was to perform the Student's behavioral analysis had resigned from her position with WESD. Hence, there was no individual remaining at WESD to complete the evaluation. From January 12, 2016 through February 23, 2016, there is no evidence that the District undertook to obtain outside services from any other private evaluator or behavioral specialist to complete the Student's evaluation.

On February 23, 2016, during the Student's Eligibility Meeting, the District presented the Parent with an agreement to extend the time for completing the behavioral portion of the Student's evaluation. The Parent refused to sign the agreement or allow an extension of time for testing. Since the evaluation had to be complete on or before February 24, 2016, the District was not in compliance with OAR 581-015-2110.

The Department substantiates this allegation.

Section 2: Access to Student Education Records.

The Parent alleges that the District violated the IDEA because it did not give the Parent a copy of the Student's March 8, 2016 IEP.

ORS 581-015-2300 requires that 'parents must have an opportunity to review any student records with respect to the identification, evaluation, and educational placement of a student as well as the provision of a free, appropriate public education of a child before any meeting regarding an IEP, and in no case more than forty-five days after the request has been made. The parent must also be given a copy of the IEP at no cost to the parent.⁵

The Parent attended two meetings regarding the Student's IEP. The first meeting was the Eligibility Meeting held on February 23, 2016. At this meeting the Parent signed a Consent for Initial Provision of Special Education Services form. The second meeting, held on March 8, 2016, was a continuation of the IEP Meeting. At the March 8, 2016 meeting, the Parent was given a draft of the Student's IEP. On April 7, 2016, the Parent was given a revised copy of the March 8, 2016 IEP by the Special Education Teacher that reflected the changes the IEP Team agreed upon and implemented for the Student. The Special Education Teacher emailed the Parent on April 7, 2016 informing the Parent that the IEP was placed in a sealed manila envelope and was given to the Student at that time. The Parent confirmed receipt on April 8, 2016.

The Department does not substantiate this allegation.

Section 3: IEP Team Considerations and Special Factors

The Parent alleges that the District violated the IDEA because it did not respond to the Parent's request for an IEP Team Meeting.

School districts must provide parents the opportunity to participate in meetings with respect to the identification, evaluation, IEP, educational placement of the child and the provision of a free

⁵ 34 CFR 300.345(f), OAR 581-015-2195(5).

appropriate public education.⁶ However, an IEP meeting does not include "informal or unscheduled conversations involving public agency personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision."⁷ There is also no specific time period in which an IEP Team Meeting must be scheduled upon receiving a meeting request.

On March 15, 2016, the Parent emailed all of the Student's general education teachers requesting a meeting on April 7, 2016 to ensure that the Student's needs were being met. The Special Education Teacher was not included in this email. This email does not contain any indication that the Parent was requesting an IEP Meeting; rather, it appears that the Parent simply wanted to ensure that the general education teachers were aware of the IEP and the accommodations that the Student was to receive.

On March 28, 2016, the Parent contacted the Special Education Teacher and requested an IEP Meeting. On March 29, 2016, the Parent contacted one of the Student's teachers and requested a meeting with all the Student's teachers to discuss the results of a private evaluation that had been completed on the Student. The Special Education Teacher emailed the Parent on March 29, 2016 to set up an IEP Meeting. Although there was some confusion about the dates when teachers would be available, the Special Education Teacher offered the Parent meetings on either April 20, 2016 or April 27, 2016. The Parent never responded to the Special Education Teacher's proffered dates for an IEP Meeting.

The Department does not substantiate this allegation.

Section 4: Content of IEP and Behavioral Support Plan

The Parent alleges that the District violated the IDEA because the IEP developed for the Student does not include positive behavioral interventions, strategies or supports that address the Student's continual behavioral and disciplinary problems.

OAR 581-015-2200 requires that IEPs include a statement of the specific Special Education services and related services and supplementary aids and services that are necessary for the student to advance appropriately toward attaining annual goals, be involved in and progress in the general curriculum as well as extracurricular activities, and be educated and participate with both disabled and non-disabled peers.

As previously discussed, the District did fail its obligations under the IDEA to provide an IEP that included information from a behavioral evaluation for the Student. Without having the results of a behavioral evaluation, it is impossible to determine precisely all of the behavioral components that should have been included in the Student's IEP. However, the District has sufficient evidence of the Student's behavioral issues to include meaningful positive behavioral interventions, strategies or supports that address the Student's behavioral issues.

The Department substantiates this allegation in part.

⁶ OAR 581-15-2190.

⁷ 34 CFR 300.501(b)(3)

Additional Findings

The Special Education Director provided a copy of an email from a member of the District support staff to the Special Education Director, dated January 27, 2016, that included a list of students, identified by district ID number and initials, whose behavior services were not being met at that time. The email also says that there may be additional students that have behavioral services in their IEPs that do not have this specific eligibility, who also aren't receiving services. There are thirteen students on this list. The email also included a spreadsheet attachment that with more specific information about these students, including additional potentially personally identifying information. Under OAR 581-015-2220, school districts are required to provide special education and related services to a child with a disability in accordance with an IEP. 34 CFR 300.623 also requires school districts to protect the confidentiality of personally identifiable information.

V. CORRECTIVE ACTION⁸

In the Matter of Sheridan School District 48J
Case No. 16-054-010

Based on the facts provided, the following corrective action is ordered.

	Action Required	Submissions⁹	Due Date
1.	General Evaluation and Re-evaluation Procedures		
	a. The District will provide professional development training with approval of presentation materials by ODE, to all special education staff who are assigned and work in the district, as well as school administrators. ODE staff will assist with this training.	Submit proposed professional development materials and agenda to ODE for review and approval Submit evidence of completed training, with sign-in sheet including name and position.	August 8, 2016 Submit with CA 3.
	b. The District will ensure completion of a behavioral assessment by the beginning of school year 2016-2017 and prior to development of the IEP (See CA 2.)	Submit copy of completed behavioral assessment report to ODE and parent.	September 9, 2016

⁸ The Department's order shall include corrective action. Any documentation or response will be verified to ensure that corrective action has occurred. OAR 581-015-2030(13). The Department requires timely completion. 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).

⁹ Corrective action submissions 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) 947-5722; e-mail: raeannray@state.or.us; fax number (503) 378-5156.

2.	<p>Content of IEP and Behavioral Support Plan</p> <p>The District will ensure the development of a new IEP for the Student by the beginning of school year 2016-2017, with inclusion of behavioral assessment information, and goals and objectives, as appropriate.</p>	<p>Submit to ODE and to parent a copy of the new IEP, related prior written notice(s), and any meeting notes or minutes related to the meeting.</p>	<p>September 9, 2016</p>
	<p>Additional Findings – Confidentiality of Personally Identifiable Information</p> <p>In conjunction with the professional development training discussed in 1.a. above, the District will facilitate training by ODE Legal Specialist regarding all confidentiality requirements under IDEA and FERPA. Participants will include all special education staff assigned to the District, as well as any District staff responsible to support Special education staff and/or student information and data.</p>	<p>Submit evidence of completed training, with sign-in sheet including names and positions.</p>	<p>September 23, 2016</p>

Dated: this 3rd Day of June 2016

Nancy Johnson Dorn
 Sarah Drinkwater, Ph.D.
 Assistant Superintendent
 Office of Student Services
for S. D.

Mailing Date: June 3, 2016