

22. Medical Statement 11/3/16
23. Medical Statement 10/24/1
24. Notification of Meeting 12/12/16
25. Behavior Support Planning Meeting Notes 12/14/16
26. Functional Behavior Assessment 12/14/16
27. Draft Step-Up Plan 12/15/16
28. Step-Up Plan 4/6/17
29. Referral 1/3/17
30. Prior Written Notice 1/3/17
31. Consent for Initial Evaluation 1/3/17
32. Multi-Disciplinary Psycho-Educational Assessment 3/16/17
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34. Eligibility Summary Statement 4/6/17
35. Disability Statement 4/6/17
36. Prior Written Notice 4/6/17
37. Child Center Referral 5/8/17
38. Section 504 Exit 5/23/17
39. Meeting Notes 11/16/17
40. Student Attendance Report 4/17/18 - 6/13/18
41. Registration Form 4/13/18
42. Permission to Release Student Records 4/16/18
43. Events for Student 8/30/18 - 10/29/18
44. Safety Plan amendment 10/1/18
45. Data Tracking Log for Behavior Class 9/17/18 - 10/18/18
46. List of Knowledgeable Staff

Following a telephone interview on November 26, 2018, the Parent provided the following document to the Investigator:

Draft amended IEP, September 6, 2018.

On November 26, 2018, the Investigator interviewed the following District Staff by telephone: the Special Education Director, a Speech Language Pathologist (SLP), a Special Education Case Manager, a Special Education Teacher, a Principal, and a Secretary. On the same day, the Investigator interviewed the Parent by telephone. The Investigator reviewed and considered all of the previously-described documents received in reaching the findings of fact and conclusions of law contained in this Order.

II. ALLEGATIONS AND CONCLUSIONS

The Department has jurisdiction to resolve this Complaint.² The Parent's allegations and the Department's conclusions are set out in the chart below. The Department based its conclusions on the Findings of Fact in Section III and the Discussion in Section IV. This Complaint covers the one year period from October 11, 2017, to the filing of this complaint on October 10, 2018.

² 34 CFR §§ 300.151-153; OAR 581-015-2030.

Allegations	Conclusions
<p>When IEPs Must Be In Effect; Free Appropriate Public Education (FAPE)</p> <p>The Complaint alleges that between March of 2018 and September 6, 2018, the District denied the Student a FAPE by failing to implement the Student's IEP.</p>	<p>Substantiated</p> <p>On April 13, 2018, the Parent registered the Student with the District and noted that the Student had an IEP. On April 17, 2018, the Student began attending school in the District. However, the District did not adopt the Student's previous IEP or develop a new IEP during the 2017-2018 school year. The District failed to provide the Student with special education services between April 17, 2018 and September 6, 2018. The Department substantiates this allegation and orders corrective action.</p>
<p>Content of IEP; FAPE</p> <p>The Complaint alleges that the District violated the IDEA by failing to address the Student's behavior in the Student's IEP by failing to adopt a safety plan and by not providing social skills instruction.</p> <p>34 CFR § 300.320; OAR 581-015-2040, 581-015-2200</p>	<p>Not Substantiated</p> <p>The Student's September 6, 2018 IEP addresses the Student's behavior in goals, specially designed instruction, and supplementary aids, services, and accommodations. The Student made progress on behavior goals between the September 6, 2018 IEP Team Meeting and the Parent's filing of this Complaint. The Department does not substantiate this allegation.</p>
<p>Placement of the Child</p> <p>The Complaint alleges that the District reduced the Student's special education services time from 275 minutes per week to 60 minutes per week with no explanation to the Parent.</p> <p>34 CFR §§ 300.116, 300.327; OAR 581-015-2250</p>	<p>Not Substantiated</p> <p>During the September 6, 2018 IEP Team Meeting, the Parent participated in a discussion regarding how the Student's school day would look with respect to Specially Designed Instruction (SDI) focused on developing social skills and addressing the Student's behavior. In October 2018, the District shared data tracking logs with the Parent that indicated the Student was making appropriate progress on the IEP's behavior and social skills goals with 60 minutes per week of removal from the general education environment. The Department does not substantiate this allegation.</p>
<p>Parent Participation</p> <p>The Complaint alleges that the Parent was denied meaningful participation in the IEP development process when, at</p>	<p>Substantiated in Part</p> <p>The District and the Parent agreed to convene for an IEP Team Meeting the next day, September 6, 2018. The Parent did not object</p>

<p>the September 6, 2018 IEP Team Meeting, the District: (1) failed to provide proper and timely notice to the Parent of the IEP Team Meeting; (2) failed to provide the Parent with a Notice of Procedural Safeguards; (3) reduced the Student's special education services time from 275 minutes per week to 60 minutes per week without explanation to the Parent; and (4) failed to timely give the Parent a copy of the IEP after conclusion of the September 6, 2018 IEP Meeting.</p> <p>34 CFR §§ 300.500, 300.322, 300.327; OARs 581-015-2190, OAR 581-015-2195, and 581-015-2315</p>	<p>to the location of the meeting. At the IEP Team Meeting, the Special Education Case Manager provided the Parent with a copy of the Notice of Procedural Safeguards. During the IEP Team Meeting, the Parent participated in a discussion regarding how the Student's school day would look with respect to SDI focused on developing social skills and addressing the Student's behavior. The Parent was afforded the opportunity to meaningfully participate. The Department does not substantiate these allegations.</p> <p>As an additional finding - the Department finds that the District failed to provide the Parent with a copy of the Student's IEP in a timely fashion. The IEP Team arrived at a conclusion regarding the Student's goals and services on September 6, 2018. However, the District did not provide the Parent with a copy of the Student's IEP until October 10, 2018—34 days later. The Department substantiates this part of the allegation and orders corrective action.</p>
<p>IEP Team</p> <p>The Complaint alleges that the District violated the IDEA when the District's Special Education Director left the September 6, 2018 IEP Meeting before its completion and did not return, resulting in an incompletely assembled IEP Team.</p> <p>34 CFR § 300.321; OAR 581-015-2210</p>	<p>Not Substantiated</p> <p>The Student's Case Manager fulfilled the role of District Representative at the September 6, 2018 IEP Team Meeting. The District noted in the amended IEP dated September 6, 2018 that the Case Manager acted in the capacity of District Representative. The Case Manager remained in the IEP Team Meeting for its entire duration. The Special Education Director's departure from the meeting did not render the IEP Team incomplete. The Department does not substantiate this allegation.</p>
<p><u>Proposed Corrective Action</u></p> <p>The Parent requests the following Proposed Solutions concerning the allegations being investigated in this matter:</p> <p>"Implementation of IEP, training for staff on trauma, anxiety & PTSD. Follow accommodations as well as the development of new ones for [the Student] to use at this school. Have a behavior & safety plan that is being followed. Meeting with an advocate. I need help for my [child]."</p>	

III. FINDINGS OF FACT

1. The Student in this matter is ten years old and attends fifth grade at a school within the District.
2. During the 2016-2017 school year and part of the 2017-2018 school year, the Student was enrolled in another Oregon school district. It was reported that the Student learned and retained academic concepts quickly and performed well on assessments, but also demonstrated challenging behaviors that impeded the Student's classroom participation. The Parent expressed concerns about how the Student was easily frustrated and engaged in work avoidance.
3. In April 2017, the Student was found eligible for special education services under the category of Emotional Disturbance. An initial Individualized Education Program (IEP) was developed with goals and specially designed instruction focused on the development of social skills and behavior.
4. On March 22, 2018, the Student's previous school district convened an IEP Team Meeting. The Student's IEP notes as a Special Factor that the Student exhibits "behavior that impedes [the Student's] learning or the learning of others. The IEP contains a goal in the area of "Social/Emotional/Behavioral" that includes sub-goals of following directions, remaining in assigned areas, keeping hands, feet, and objects to self, remaining on task and finishing work, and asking for a break when feeling frustrated.
5. The March 22, 2018 IEP includes SDI in the areas of Social Skills (150 minutes per week) and Behavior (125 minutes per week). The IEP also notes that the Student would have the added accommodation of a Behavior Support Plan.
6. The Student's March 22, 2018 IEP notes that the Student will be moving to the District.
7. On Friday April 13, 2018, the Parent completed and signed a District "Registration Form." The Parent stated that the Student "is on an IEP that will follow [the Student]." The Registration Form goes on to note that the Student "has been diagnoses (sic) with ADD, PTSD, Anxiety. [The Student] is on an IEP + will require the specific accommodations recommendations noted in IEP." The Parent returned the completed Registration Form on April 16, 2018.
8. On April 16, 2018, the District sent a fax to the Student's previous elementary school, requesting release of all educational records.
9. Beginning April 17, 2018, the Student attended fourth grade in the District. The Student accumulated six excused absences between the Student's April 17, 2018 enrollment date and the end of the school year on or about June 13, 2018.
10. The Parent recalled discussing that the Student had an IEP in the Student's previous district with a general education teacher following a behavior incident in April or May of 2018. Additionally, a District Principal reported being aware—by April 17, 2018—that the Student had an IEP in the Student's previous school district. The Principal noted that it is not uncommon for school districts to provide student records to a new school on the same day or day following a records request.

11. Beginning April 17, 2018, the District placed the Student in a general education classroom. The Student performed well academically and behaviorally. The Student did not receive SDI or accommodations from the March 22, 2018 IEP.
12. The District's Special Education Director, Speech Language Pathologist, Special Education Case Manager, and Special Education Teacher were not aware of the Student's special education eligibility and active IEP until on or about June 11, 2018.
13. Beginning August 30, 2018, District staff attempted to contact the Parent to arrange an amended IEP Team Meeting. District staff left voice mails for the Parent on August 30, 2018 and September 4, 2018. On September 5, 2018, District staff made contact with the Parent by telephone. The Parent expressed a desire to convene an IEP Team Meeting the following day, not later. The District and the Parent agreed to convene for an IEP Team Meeting the next day, September 6, 2018.
14. During the September 6, 2018 IEP Team Meeting, the Special Education Director was called away to another meeting. The Special Education Director asked whether the Parent was opposed to such an excusal and the Parent did not express objection. It was shared with the IEP Team that the Special Education Director would be available by phone or could return to the meeting as needed.
15. The District Special Education Case Manager participated in the IEP Team Meeting as the District Representative. The Special Education Case Manager remained for the duration of the September 6, 2018 IEP Team Meeting.
16. The Special Education Case Manager provided the Parent with a copy of the Notice of Procedural Safeguards. The "Meeting Notes" section of the Student's September 6, 2018 IEP states that the "[Special Education Case Manager] Provided parents with the Procedural Safeguards Notice Parent's Rights for Special Education for 2018/2019 School year."
17. The September 6, 2018 IEP adopts most of the language from the Student's previous school district's March 22, 2018 IEP. This includes the Student's overall strengths, interests, and preferences, as well as the Student's present levels of academic achievement and functional performance. The District added one line of parent input, noting the Parent is "most concerned that [the Student] not feel like [the Student] looks different from other students" in class.
18. The September 6, 2018 IEP includes SDI in the area of "Behavior - social/emotional" for 60 minutes per week in the "Resource Room." This amount of SDI is a reduction from the 275 minutes of comparable SDI that was agreed upon in the Student's March 22, 2018 IEP.
19. The decision to reduce the Student's SDI to address behavior was based upon factors including the Parent's expressed interest in eliminating a "Check-In, Check-Out System" and input from the Student's general education teacher, who noted that the Student's behavior was "within an acceptable range," but that the Student needed reminders to take breaks at times when the Student is having difficulty or things aren't going the Student's way.
20. The Student's September 6, 2018 amended IEP also includes supplementary aids/services and accommodations, including a school-wide Behavior Support Plan to be implemented 375 minutes per day.
21. The District and Parent agree that the amended IEP dated September 6, 2018, reduced service time, but disagree concerning how that happened. District staff reported to the Complaint Investigator that the Parent wanted to remove all behavior and social goals; and that the

reduction to one social/emotional/behavioral goal, represented a compromise to the Parent's wishes to remove the behavior and social goals to avoid the Student appearing to be different than other students. While the Parent reported to the Complaint Investigator that the Parent only requested removal of a "check-in and check-out sheet"; and did not propose removing any other aspects of behavior and social goals and services. The amended IEP dated September 6, 2018, does include services and a goal consistent with the compromise District staff believe occurred.

22. At the conclusion of the September 6, 2018 IEP Meeting, the District provided the Parent with a copy of a Prior Written Notice and Placement Determination.
23. On October 1, 2018, the Parent and an advocate for the Parent attended a meeting with the school Principal and the Special Education Director to discuss the Student's re-entry into the classroom following a behavioral incident. During this meeting, the Parent stated the District was not providing appropriate supports for the Student. The District shared data tracking logs with the Parent that indicated the Student was making appropriate progress on the IEP's behavior and social skills goals.
24. On October 1, 2018, the District provided the Parent with a draft copy of the amended IEP from the September 6, 2018 IEP Meeting. The District did not finalize the September 6, 2018 IEP and send a copy to the Parent until October 10, 2018. District staff attribute the delay to incompatible IEP systems between the Student's previous school district and the District. Ultimately, the District typed the Student's previous school district's IEP into the District's system, then amended the portions of the IEP that were updated at the September 6, 2018 Meeting.

IV. DISCUSSION

A. When IEPs Must Be In Effect

The Complaint alleges that the District violated the IDEA and did not provide the Student a free appropriate public education (FAPE) by failing to implement the Student's IEP. Specifically, the Complaint alleges that the Student began attending school in the District in the Spring of 2018, but that it was not until September 6, 2018 that the District held an IEP Team Meeting to either adopt the Student's previous IEP or develop and implement a new IEP.

"If a child with a disability (who had an IEP that was in effect in a previous school district in Oregon) transfers to a new district in Oregon, and enrolls in a new school within the same school year, the new school district (in consultation with the child's parents) must provide a free appropriate public education to the child (including services comparable to those described in the child's IEP from the previous district), until the new district either: (1) adopts the child's IEP from the previous school district; or (2) develops, adopts and implements a new IEP for the child."³

As early as March 22, 2018, the Parent was aware the Student would be enrolling in the District. On Friday April 13, 2018, the Parent completed and signed a District "Registration Form." The Parent stated that the Student "is on an IEP that will follow [the Student]." The Registration Form goes on to note that the Student "has been diagnoses (sic) with ADD, PTSD, Anxiety. [The Student] is on an IEP + will require the specific accommodations recommendations noted in IEP." The Parent also noted the name and address of the Student's previous elementary school. The Parent returned the completed Registration Form on April 16, 2018. Beginning April 17, 2018, the Student attended

³ OAR 581-015-2230.

fourth grade in the District. The Student accumulated six excused absences between the Student's April 17, 2018 enrollment date and the end of the school year on or about June 13, 2018. The District's Special Education Director, Speech Language Pathologist, Special Education Case Manager, and Special Education Teacher were not aware of the Student's special education eligibility and IEP until approximately June 11, 2018. Between April 17, 2018 and June 13, 2018, the District did not provide the Student with services under the Student's March 22, 2018 IEP.

Irrespective of the District's Special Education Department being unaware of the Student's special education eligibility, the District was on notice that the Student was a child with a disability transferring into the District. The Parent expressly stated on the Student's Registration Form that the Student "is on an IEP" and "will require the specific accommodations recommendations noted" in the IEP. The Parent also disclosed the name and address of the Student's previous elementary school. Despite this, the District did not adopt the Student's previous IEP or develop a new IEP during the 2017-2018 school year. Between April 17, 2018 and June 13, 2018, the District did not implement the Student's IEP, the existence of which was known to the District. The Department substantiates this allegation and orders corrective action.

B. Content of IEP

The Complaint alleges that the District violated the IDEA and did not provide FAPE to the Student by failing to address the Student's behavior in the Student's IEP, by failing to adopt a safety plan and, by failing to provide social skills instruction. A student's IEP must include information such as a statement of measurable goals designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum, and additionally a statement of the special education, related services, and supplementary aids to be provided to the child.⁴ School districts must provide a free appropriate public education (FAPE) to all school-age children with disabilities for whom the school district is responsible.⁵

On September 6, 2018, the Student's IEP Team convened and developed an IEP for the Student. In large part, the District adopted the provisions of the IEP the Student had from a previous Oregon school district. The IEP included "Social/Emotional/Behavioral" goals focused on the Student: (1) following directions; (2) staying in assigned areas; (3) keeping hands, feet, and objects to self; (4) staying on task and finishing work; and (5) asking for a break when feeling frustrated. The IEP Team adjusted the Student's Specially Designed Instruction (SDI), reducing it from 275 minutes per week to 60 minutes per week based on team discussion, including input from the Student's general education teacher. The IEP Team noted that the Student was to be removed from the general education environment to focus on "social/emotional skills in order to make academic and social growth in the general education setting." Additionally, the District adopted the previous school district's Behavior Support Plan.

A few weeks after the IEP was developed—in October 2018 during a meeting regarding a behavioral incident involving the Student—the District shared data tracking logs with the Parent that indicated the Student was making appropriate progress on the IEP's behavior and social skills goals with 60 minutes per week of removal from the general education environment.

On September 6, 2018, the District, in collaboration with the Parent, developed an IEP that focused on improving the Student's social skills in the classroom to promote safety, respect, and responsibility. The Student made progress on those behavior and social skills after the IEP was developed. The Department does not substantiate this allegation.

⁴ 34 C.F.R. § 300.320; OAR 581-015-2200.

⁵ 34 C.F.R. § 300.101; OAR 581-015-2040.

C. Placement of the Child

The Complaint alleges that the District improperly reduced the Student's special education services time from 275 minutes per week to 60 minutes per week with no explanation to the Parent. School districts must ensure that the educational placement of a child with a disability 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. Placement must be made in conformity with the least restrictive environment provisions of IDEA and be based on the child's current IEP.⁶

The September 6, 2018 IEP Team discussed how the Student's school day would look with respect to SDI focused on developing social skills and addressing the Student's behavior. The Parent discussed concerns about the Student having a "Check-In, Check-Out System" as well as behavior-related goals and associated SDI. This discussion resulted in a reduction of the amount of SDI the Student received in the area of behavior and social skills development. In October 2018, the District shared data tracking logs with the Parent that indicated the Student was making appropriate progress on the IEP's behavior and social skills goals with 60 minutes per week of removal from the general education environment. The District's placement decisions were determined by a team that was knowledgeable about the Student, included the Parent, were made in conformity with least restrictive environment requirements, and were based on the Student's IEP. The Department does not substantiate this allegation.

D. Parent Participation

The Complaint alleges that the Parent was denied meaningful participation in the IEP development process when, at the September 6, 2018 IEP Team Meeting, the District: (1) failed to provide proper and timely notice to the Parent of the IEP Team Meeting; (2) failed to provide the Parent with a Notice of Procedural Safeguards; (3) reduced the Student's special education services time from 275 minutes per week to 60 minutes per week without explanation to the Parent; and (4) delayed in providing the Parent with a copy of the September 6, 2018 IEP.

1. Mutually Agreeable Time and Place

When scheduling IEP team meetings, school districts must take steps to ensure the meeting is scheduled at a "mutually agreed on time and place."⁷ Beginning August 30, 2018, District staff attempted to contact the Parent to arrange an amended IEP Team Meeting. District staff left voice mails for the Parent on August 30, 2018 and September 4, 2018. On September 5, 2018, District staff made contact with the Parent by telephone. The Parent expressed a desire to convene an IEP Team Meeting the following day, not later. The District and the Parent agreed to convene for an IEP Team Meeting the next day, September 6, 2018. The Parent did not object to the location of the meeting. The Department does not substantiate this allegation.

2. Notice of Procedural Safeguards

School districts must give parents a copy of the Notice of Procedural Safeguards at a minimum only one time per year, except a copy must be given in such circumstances as upon initial referral, parent request for evaluation, or upon parent request.⁸ On September 6, 2018, the Special Education Case Manager provided the Parent with a copy of the Notice of Procedural Safeguards. The "Meeting Notes" section of the Student's September 6, 2018 IEP reflects this event, noting that the "[Special Education Case Manager] provided parents with the Procedural Safeguards Notice Parent's Rights

⁶ 34 C.F.R. § 300.116; OAR 581-015-2250.

⁷ 34 C.F.R. § 300.322; OAR 581-015-2195.

⁸ OAR 581-015-2315.

for Special Education for 2018/2019 School year.” The Department does not substantiate this allegation.

3. Meaningful Parent Participation

A school district must “provide one or both parents the opportunity to participate in meetings with respect to the identification, evaluation, IEP, and educational placement” of the student, as well as the provision of FAPE.⁹

Focusing specifically on the issue of SDI delivery to the Student, the IEP Team discussed at length how the Student’s school day would look with respect to SDI focused on developing social skills and addressing the Student’s behavior. The Parent was afforded the opportunity to discuss concerns about the Student having a “Check-In, Check-Out System” and whether the Student should have social skills and behavior goals—and associated SDI to work on such goals. The District provided the Parent with ample opportunity to participate in the September 6, 2018 IEP Team Meeting to discuss the appropriate amount of SDI that would be provided to the Student under the IEP. The Department does not substantiate this allegation.

4. Providing the Parent with a Copy of the IEP – Additional Finding

The Parent did not receive a copy of the finalized September 6, 2018 IEP until October 10, 2018. A school district “must give the parent a copy of the IEP at no cost to the parent.”¹⁰ District staff attributed the 34-day delay in providing the Parent with a copy of the Student’s IEP to an incompatibility between the District’s IEP platform and the platform of the Student’s previous school district. There was no indication that the Parent contributed to this delay, nor that there were unresolved issues in developing the September 6, 2018 IEP that kept it from being finalized and sent promptly to the Parent at no cost. The Department substantiates this finding regarding District delay in sending the Parent a finalized IEP in timely fashion and orders corrective action.

E. IEP Team

The Complaint alleges that the District violated the IDEA when the District’s Special Education Director left the September 6, 2018 IEP Meeting before its completion and did not return, resulting in an incompletely assembled IEP Team.

School districts are responsible for ensuring an IEP Team is composed of certain participants, including “[a] representative of the school district, who may also be another member of the team, who is: (A) [q]ualified to provide, or supervise the provision of, specially designed instruction; (B) [k]nowledgeable about the general education curriculum; (C) [k]nowledgeable about district resources; and (D) [a]uthorized to commit district resources and ensure that services set out in the IEP will be provided.”¹¹

During the September 6, 2018 IEP Team Meeting, the Special Education Director was called away to another meeting. The Special Education Director notified the IEP Team of this circumstance and asked whether the Parent was opposed to such an excusal. The Parent did not object. It was shared with the IEP Team that the Special Education Director would be available by phone or could return to the meeting as needed. While the Special Education Director is a valuable member of the IEP Team, it is the District Special Education Case Manager who participated as the District Representative at the Student’s September 6, 2018 IEP Team meeting.

⁹ 34 C.F.R. § 300.322; OAR 581-015-2190.

¹⁰ 34 C.F.R. § 300.322(f); OAR 581-015-2195(5).

¹¹ 34 C.F.R. § 300.321; OAR 581-015-2210(1).

The Case Manager was qualified to provide or supervise SDI delivery, knowledgeable about the District's general education program and district resources, and was authorized to commit district resources and ensure the services set out in the Student's IEP would be provided. The Student's IEP "Meeting Participants" page notes the Case Manager fulfilled the role of "District Representative." The District Special Education Case Manager remained present for the duration of the September 6, 2018 IEP Team Meeting. The Special Education Director's departure from the meeting did not render the IEP Team incomplete. The Department does not substantiate this allegation.

CORRECTIVE ACTION¹²
In the Matter of Oakridge School District
 Case No. 18-054-040

The Department orders the following Corrective Action in this matter.

	Action Required	Submissions¹³	Due Date
1.	In consultation with ODE, including the District's County Contact, develop and implement efficient procedures ⁽¹⁾ to: <ol style="list-style-type: none"> 1. identify the special education needs of students transferring into the District 2. monitor the implementation of special education services, including accommodations 3. monitor the timely distribution of IEPs and related documents to parents. 	Submit evidence of consultation with ODE, such as agenda and notes from meetings or phone conference(s) and copy of procedures.	January 20, 2019
2.	IEP Review and revision: By January 6, 2019, hold an IEP meeting to review the Student's functional and academic progress and to revise, as	Submit a copy of the reviewed/revised IEP to ODE, with copies of any associated notices (team meeting notice, prior written notice, etc.)	January 13, 2019

¹² 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)).

¹³ 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: raeanrray@state.or.us; fax number (503) 378-5156.

⁽¹⁾ OAR 581-015-2230 "If a child with a disability (who had an IEP that was in effect in a previous school district in Oregon) transfers to a new district in Oregon, and enrolls in a new school within the same school year, the new school district (in consultation with the child's parents) must provide a free appropriate public education to the child (including services comparable to those described in the child's IEP from the previous district), until the new district either: (1) adopts the child's IEP from the previous school district; or (2) develops, adopts and implements a new IEP for the child."⁽¹⁾

<p>needed, the existing academic and behavioral accommodations and supports for the Student. The IEP Team will also determine any consultation to personnel needed to support the Student. Provide a copy of the IEP (and associated prior written notice) to Parent by January 13, 2019.</p>		
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Dated this 7th Day of December 2018

Cindy Hunt
 Chief of Staff
 Office of the Superintendent

Mailing Date: December 7, 2018

Appeal Rights: Parties may seek judicial review of this Order. Judicial review may be obtained by filing a petition for review within sixty days from the service of this Order with the Marion County Circuit Court or with the Circuit Court for the County in which the party seeking judicial review resides. Judicial review is pursuant to the provisions of ORS § 183.484. (OAR 581-015-2030 (14).)