



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

**EDUCATION**

[REDACTED]

*VIA U.S. Mail & Electronic Mail*

[REDACTED]

Public Charter School

[REDACTED]

RE: State Complaint No. 018-007 Letter of Decision

### LETTER OF DECISION

#### **PROCEDURAL BACKGROUND**

On [REDACTED], the State Complaint Office (SCO) of the Office of the State Superintendent of Education (OSSE), Division of Systems and Supports, K-12 received a State complaint from [REDACTED] (complainant or parent) against [REDACTED] Public Charter School ([REDACTED] PCS) alleging violations in the special education program of [REDACTED] [REDACTED] [REDACTED] (Student ID # [REDACTED] hereinafter "student" or "child."

The complainant alleged that [REDACTED] PCS violated certain provisions of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §1400 et seq. and regulations promulgated at 34 CFR Part 300, specifically, failure to ensure parent participation, base the student's placement on the IEP, provide IEP services and supplementary aids and services, and follow reevaluation requirements.

The SCO for OSSE has completed its investigation of the State complaint. During the course of the investigation OSSE determined that [REDACTED] PCS complied with its obligations related to parent participation, placement, IEP required supplementary aids and services, and reevaluation. OSSE additionally determined that [REDACTED] PCS has not complied with its obligations related to the delivery of IEP services. This Letter of Decision is the report of the final results of OSSE's investigation.

#### **COMPLAINT ISSUES**

The allegations raised in the complaint, further clarified by a review of documents and interviews revealed in the course of the investigation, raised the following issues under the jurisdiction of the OSSE SCO:

1. **Requirement to ensure parent participation at 34 CFR §300.322**
  - a. Failure to take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate.
2. **Placement requirements at 34 CFR §300.116(b)(2)**
  - a. Failure to base the child's placement on the child's IEP.
3. **Requirement to have an IEP in effect at 34 CFR §300.323(a)**
  - a. Failure to have an IEP in effect for the student, specifically with regard to specialized instruction and related services at [REDACTED].
4. **Requirement to provide supplementary aids and services at 34 CFR §§300.107 & 300.117**
  - a. Failure to take steps, including the provision of supplementary aids and services determined appropriate and necessary by the student's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities, specifically with respect to field trips.
5. **Reevaluation requirements at 34 CFR §§300.303(a)(2) and 300.502**
  - a. Failure to ensure that a reevaluation is conducted if the child's parent requests a reevaluation.
  - b. Failure to provide an independent evaluation upon the parent's request.

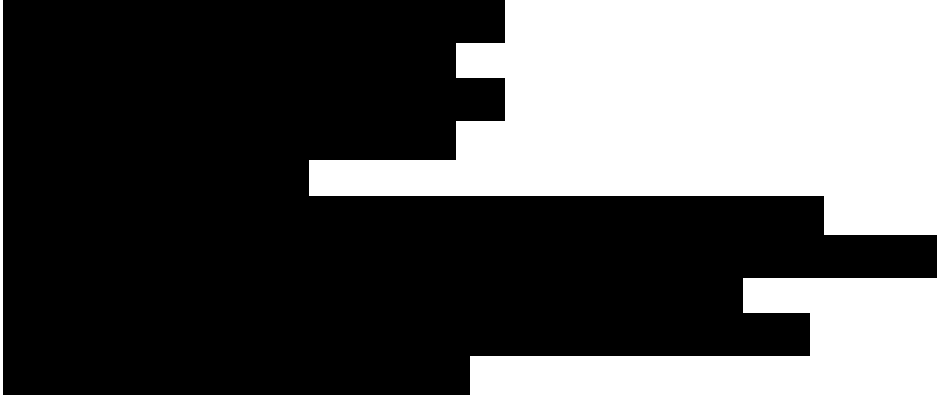
**INVESTIGATIVE PROCEDURE**

The investigation included interviews with the following individuals:

1. Complainant
2. [REDACTED] PCS [REDACTED]
3. [REDACTED] PCS [REDACTED]

The investigation also included review of the following documents which were either submitted by the complainant, submitted by [REDACTED] PCS, or accessible via the Special Education Data System (SEDS):

[REDACTED]



**GENERAL FINDINGS OF FACT**

- 1. The student is a child with a disability as defined by 34 CFR §300.8.
- 2. The student’s disability category is developmental delay.
- 3. The student’s local educational agency (LEA) is [REDACTED] PCS.

**ISSUE ONE: PARENT PARTICIPATION**

**Findings of Fact**

- 1. The parent attended IEP Team meetings on the following dates:
  - a. [REDACTED] evaluation meeting following referral
  - b. [REDACTED] initial eligibility determination meeting
  - c. [REDACTED] initial IEP development meeting
  - d. [REDACTED] meeting to discuss additional supports
  - e. [REDACTED] meeting following the parent’s visit to the new location assignment

**Discussion/Conclusion**

**[REDACTED] PCS has complied with 34 CFR §300.322, because it ensured parent attendance and participation at all IEP Team meetings.**

Pursuant to 34 CFR §300.322, each public agency must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend, and scheduling the meeting at a mutually agreed on time and place. Reasonable efforts to ensure parent participation are defined as a minimum of three (3) attempts using multiple modalities.<sup>1</sup> All attempts to contact the parent shall be documented in SEDS.<sup>2</sup> The complainant alleges that [REDACTED] PCS implemented changes to the student’s IEP without authorization.

The parent attended the following IEP Team meetings: [REDACTED] evaluation meeting following referral, [REDACTED] initial eligibility determination meeting, [REDACTED] initial IEP development meeting, [REDACTED] meeting to discuss additional supports, and

<sup>1</sup> OSSE IEP Process Policy p. 3 (August 30, 2011).  
<sup>2</sup> *Id.*

meeting following the parent's visit to the new location assignment. All meetings notes taken reflect parent communication to the team during the course of the meeting. OSSE's investigation did not uncover any IEP Team meetings or any other meeting where decisions were held about the student's educational program that the parent did not attend. OSSE finds that the parent attended and had an opportunity to participate in all meetings with respect to the identification, evaluation, educational placement, and provision of FAPE to the child.

Therefore, PCS has complied with 34 CFR §300.322.

## **ISSUE TWO: PLACEMENT**

### **Findings of Fact**

1. The student started the school year attending the campus.
2. From , the student was removed from placement for various disciplinary infractions for a total of 11.5 days.
3. On PCS held an eligibility determination meeting.
  - a. The team determined that the student qualifies for special education services as a student with a developmental delay.
4. On PCS held an IEP team meeting to create an initial IEP for the student.
  - a. The IEP Team agreed to 16.25 hours of specialized instruction outside the general education setting in the form of direct instruction in reading for 7.5 hours per week, in written expression for 3.75 hours per week, and in mathematics for 5 hours per week; and 240 minutes per month of behavioral support services.
5. The IEP prescribes 7.5 hours per week of specialized instruction in reading outside the general education setting, 3.75 hours per week of specialized instruction in written expression outside the general education setting, 5 hours per week of specialized instruction in mathematics outside the general education setting, and 240 minutes per month of behavioral support services.
6. The least restrictive environment review and recommendations report stated that:
  - a. The student exhibited verbally and physically aggressive behaviors and had difficulty remaining with the group during transitions.
  - b. The student struggles with self-regulation and impulsivity and needs coping skills and strategies to help regulate highly aggressive emotional needs.
  - c. School staff members did not believe that a dedicated aide would benefit the student due to the amount of time the school was already providing one-on-one support for the student without seeing improvement in behaviors.
  - d. The review team recommends a move to a more restrictive setting. This recommendation was to be shared and discussed with the full multi-disciplinary team, including the parent.
7. On PCS held an IEP Team meeting to discuss whether the student's current services were appropriate and to review a recent disciplinary

infraction and determine whether the student's behavior was a manifestation of the student's disability.

- a. The team determined that the student's behavior was a manifestation of [REDACTED] disability.
  - b. [REDACTED] PCS provided one-on-one time for missed instruction from when the student was removed from the classroom.
  - c. The parent reported that the student had been having problems with transitions and needed one-on-one support.
  - d. [REDACTED] PCS staff reported that the school had been increasing the student's supports and interventions, including increasing the teacher to student ratio in the classroom, but that the student continued to show a need for additional support.
  - e. [REDACTED] PCS staff reported that the student needed one-to-one support to make it through the day, but that even with one-to-one support the student continued to need reset periods outside of the classroom and that a dedicated aide would not teach the student the skills [REDACTED] needs to increase [REDACTED] time within the classroom.
  - f. [REDACTED] PCS suggested moving the student to The [REDACTED] campus for short-term intensive teaching of skills with the goal of integrating the student back into [REDACTED] home school. The parent agreed to visit The [REDACTED] campus.
  - g. The team agreed to reconvene to discuss and update the student's IEP.
8. On [REDACTED] [REDACTED] PCS held an IEP Team meeting to discuss the student's needs and amend the IEP as needed.
- a. The IEP team reviewed the student's standardized test scores, attendance record, current grades, and teacher comments.
  - b. The parent reported that [REDACTED] liked The [REDACTED] campus, but expressed concern about the student attending a different campus from [REDACTED] sibling.
  - c. The parent suggested that the student remain at [REDACTED] with the support of a dedicated aide.
  - d. [REDACTED] PCS staff responded that the school wanted to teach the student the skills that would enable [REDACTED] to be part of the classroom environment and that a dedicated aide would not be the person teaching those skills but implementing the interventions and supports. The student had success in isolation, but needed direct teaching of skills to prevent [REDACTED] impulsive reactions, think before reacting, and understand what is happening in [REDACTED] body. The [REDACTED] [REDACTED] has a behavior analyst, a school-wide behavior support system, small classes, and reading and math instruction that is individualized.
9. The [REDACTED] IEP prescribes 26 hours per week of specialized instruction outside the general education setting and 240 minutes per month of behavioral support services.
10. On [REDACTED] [REDACTED] PCS issued a prior written notice (PWN) to the parent notifying [REDACTED] of the IEP Team's decision to change the student's placement to a full-time, self-contained, educational setting; change the student's IEP services to 26 hours

per week of specialized instruction outside the general education setting and 240 minutes per month of behavioral support services; and change the student's location of services to The [REDACTED] campus.

### Discussion/Conclusion

[REDACTED] PCS has complied with 34 CFR §300.116(b)(2), because it based the student's placement on [REDACTED] IEP.

Pursuant to 34 CFR §300.116(b)(2), each public agency must ensure that the child's placement is based on the child's IEP. The complainant alleges that the [REDACTED] PCS [REDACTED] location could implement the student's IEP and that despite this the student was assigned a new location of services.

On [REDACTED] the IEP Team determined that the student was eligible for special education services with a disability category of developmental delay and created an initial IEP on [REDACTED]. The [REDACTED] IEP prescribed 7.5 hours per week of specialized instruction in reading outside the general education setting, 3.75 hours per week of specialized instruction in written expression outside the general education setting, 5 hours per week of specialized instruction in mathematics outside the general education setting, and 240 minutes per month of behavioral support services. Even with the initial IEP services and supports in place, the student continued to have behavioral concerns, including various disciplinary infractions that resulted in removal from [REDACTED] placement for a total of 11.5 days from [REDACTED].

[REDACTED] PCS completed a least restrictive environment review and recommendations report on [REDACTED]. The report stated that the student exhibited verbal and physical aggressive behaviors and had difficulty remaining with the group during transitions, and struggled with self-regulation and impulsivity and needed coping skills and strategies to help regulate [REDACTED] highly aggressive emotional needs. School staff members were hesitant that a dedicated aide would benefit the student due to the amount of time the school was already providing one-on-one support for the student without seeing improvement in [REDACTED] behaviors. The report recommended a move to a more restrictive setting, which should be shared and discussed with the full multi-disciplinary team, including the parent.

On [REDACTED] [REDACTED] PCS held an IEP Team meeting to discuss whether the student's current services were appropriate and to review a recent disciplinary infraction. The team determined that the student's behavior in the recent disciplinary infraction was a manifestation of [REDACTED] disability. [REDACTED] PCS provided one-on-one time for missed instruction from when the student was removed from the classroom. The parent reported that the student had been having problems with transitions and needed one-on-one support. [REDACTED] PCS staff reported that the school had been increasing the student's supports and interventions, including increasing the teacher to student ratio in the classroom, but that the student continued to show a need for additional support. [REDACTED] PCS staff reported that the student needed one-to-one support to make it through the day, but that even with one-to-one support the student continued to need reset periods outside of the classroom and that a dedicated aide would not

teach the student the skills [REDACTED] needs to increase [REDACTED] time within the classroom. [REDACTED] PCS suggested moving the student to The [REDACTED] campus for short-term intensive teaching of skills with the goal of integrating the student back into [REDACTED] home school. The parent agreed to visit The [REDACTED] campus. The team agreed to reconvene to discuss and update the student's IEP.

Following the parent's visit to The [REDACTED] campus, [REDACTED] PCS held an IEP Team meeting on [REDACTED] to discuss the student's needs and amend the IEP. The IEP team reviewed the student's standardized test scores, attendance record, current grades, and teacher comments. The parent reported that [REDACTED] liked The [REDACTED] campus, but expressed concern about the student attending a different campus from [REDACTED] sibling. The parent suggested that the student remain at [REDACTED] current school location of [REDACTED] with the support of a dedicated aide. [REDACTED] PCS staff responded that the school wanted to teach the student the skills that would enable [REDACTED] to be part of the classroom environment and that a dedicated aide would not be the person teaching those skills but implementing the interventions and supports. The student had success in isolation, but needed direct teaching of skills to prevent [REDACTED] impulsive reactions, think before reacting, and understand what is happening in [REDACTED] body. The [REDACTED] has a behavior analyst, a school-wide behavior support system, small classes, and reading and math instruction that is individualized. The IEP Team agreed that the student needed a more restrictive placement and updated the IEP to prescribe 26 hours per week of specialized instruction outside the general education setting and 240 minutes per month of behavioral support services.

On [REDACTED] [REDACTED] PCS issued a prior written notice to the parent notifying [REDACTED] of the IEP Team's decision to change the student's placement to a full-time, self-contained, educational setting; change the student's IEP services to 26 hours per week of specialized instruction outside the general education setting and 240 minutes per month of behavioral support services; and change the student's location of services to The [REDACTED] campus.

The parent agreed with the IEP Team's decision that the student needed a more restrictive placement, but [REDACTED] did not want the student's location assignment to change because it would be difficult to transport the student and [REDACTED] sibling to different school locations in the mornings. Although the parent's logistical concerns are valid, the student's placement decision cannot be based on logistical needs; the student's placement must be based on [REDACTED] IEP. Following an IEP Team discussion of the student's academic and behavioral needs and reviewing student data, the IEP Team agreed to move the student to a more restrictive setting and revised the student's IEP accordingly. OSSE finds that [REDACTED] PCS chose a location assignment that could implement the student's IEP and placement agreed to by the IEP Team. [REDACTED] PCS changed the student's location assignment to The [REDACTED] campus where the student would receive more supports in a self-contained classroom with a small student to teacher ratio, as required by [REDACTED] IEP. The [REDACTED] has more expansive behavior support staff, specialists to handle students in crisis, and more support than is available at [REDACTED].

Therefore, [REDACTED] PCS has complied with 34 CFR §300.116(b)(2).

### ISSUE THREE: IEP IN EFFECT

#### Findings of Fact

1. [REDACTED] PCS reported that students with full time IEPs can be served at other campuses depending on their needs, but all students at The [REDACTED] campus have full time IEPs.
2. [REDACTED] PCS reported that the student needed minute to minute support that could not be provided at the [REDACTED] campus.
  - a. The student's [REDACTED] IEP implemented behavioral support services were insufficient to ensure the student's access to the curriculum.
3. The [REDACTED] written notice changed the student's location of services to The [REDACTED] starting [REDACTED].
4. The parent continued to transport the student to the [REDACTED] campus in the mornings from [REDACTED].
  - a. [REDACTED] PCS transported the student to The [REDACTED] campus on the following dates: [REDACTED].
  - b. The [REDACTED] campus was closed on [REDACTED] due to parent teacher conference day.
  - c. On the remaining dates the student remained at the [REDACTED] campus and [REDACTED] PCS, "accommodated the student as best as possible while continuing conversations with the parent about the student's need to attend the newly assigned campus location where [REDACTED] IEP could be [implemented]."
5. On [REDACTED] the IEP Team found the student eligible for transportation services.
  - a. On [REDACTED] [REDACTED] PCS issued written notice to the parent informing [REDACTED] of the proposed amendment to add transportation services to the student's IEP in order for [REDACTED] to access a specialized program that supports [REDACTED] needs in a placement that is outside of [REDACTED] neighborhood.
  - b. On [REDACTED] [REDACTED] PCS amended the student's IEP to add transportation services.
  - c. On [REDACTED] the parent confirmed pick up and drop off locations for transportation services and [REDACTED] PCS submitted the transportation request form to OSSE DOT. The parent agreed to let [REDACTED] PCS transport the student to The [REDACTED] until transportation services began.
6. [REDACTED] PCS transported the student to The [REDACTED] from [REDACTED].
7. On [REDACTED] OSSE DOT issued a letter to the parent informing [REDACTED] that transportation services would begin [REDACTED].
8. On [REDACTED] OSSE DOT transportation services began.

#### Discussion/Conclusion

[REDACTED] PCS has not complied with 34 CFR §300.323(a), because it failed to make transportation services available to the student on [REDACTED].

Pursuant to 34 CFR §300.323(a), at the beginning of each school year, each public agency must have in effect, for each child with a disability within its jurisdiction, an IEP. The complainant



alleges that [REDACTED] PCS told [REDACTED] that the student could no longer receive services at [REDACTED] previous location assignment.

Pursuant to an IEP Team decision to move the student to a more restrictive placement, the [REDACTED] written notice changed the student's location of services to The [REDACTED] starting [REDACTED]. [REDACTED] PCS reported that the student needed minute to minute support that could not be provided at the [REDACTED] campus. The student's behavioral support services were insufficient to ensure the student's access to the curriculum. [REDACTED] PCS reported that students with full time IEPs can be served at other campuses depending on their needs, but all students at The [REDACTED] campus have full time IEPs.

The parent disagreed with the change in location of services and continued to transport the student to the [REDACTED] campus in the mornings from [REDACTED]. [REDACTED] PCS reported that school staff accommodated the student as best as possible at the [REDACTED] campus while continuing conversations with the parent about the student's need to attend the newly assigned campus location where [REDACTED] IEP could be implemented. On [REDACTED] [REDACTED] PCS transported the student to The [REDACTED] campus with the parent's permission. The [REDACTED] campus was closed on [REDACTED] due to parent teacher conference day. On [REDACTED] the IEP Team found the student eligible for transportation services and [REDACTED] PCS issued written notice to the parent informing [REDACTED] of the proposed amendment to add transportation services to the student's IEP in order for [REDACTED] to access a specialized program that supports [REDACTED] needs in a placement that is outside of [REDACTED] neighborhood. On [REDACTED] [REDACTED] PCS amended the student's IEP to add transportation services. On [REDACTED] the parent confirmed pick up and drop off locations for transportation services and [REDACTED] PCS submitted the transportation request form to OSSE DOT. The parent agreed to let [REDACTED] PCS transport the student to The [REDACTED] until transportation services began. On [REDACTED] [REDACTED] PCS transported the student to The [REDACTED] campus. On [REDACTED] OSSE DOT transportation services began. As of the date of this decision letter, [REDACTED] PCS reports that the student consistently attends The [REDACTED] and is transported via OSSE bus.

OSSE finds that [REDACTED] PCS was ready and willing to implement the student's IEP at the assigned location of services and addressed the student's eligibility for transportation services so that the student could attend the location within the LEA where [REDACTED] IEP could be implemented. However, following the [REDACTED] transportation eligibility determination and subsequent [REDACTED] IEP amendment, there was a gap before OSSE DOT transportation services began. The OSSE Special Education Transportation Policy anticipates a delay in the start of transportation services following the LEA's submission of the transportation request form as OSSE DOT has three (3) days to begin services after receiving a complete submission.<sup>3</sup> [REDACTED] PCS filled this gap by transporting the student on [REDACTED], but did not transport the student on [REDACTED]. As a result the student missed a field

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<sup>3</sup> OSSE Special Education Transportation Policy at p. 10 (November 6, 2013).

trip at The [REDACTED]. [REDACTED] PCS knew that the student would need transportation services from the [REDACTED] eligibility determination, and following the [REDACTED] IEP amendment the parent was no longer responsible for transporting the student. [REDACTED] PCS should have begun transporting the student on [REDACTED] and should not have waited until [REDACTED] to begin transportation.

Therefore, [REDACTED] PCS has not complied with 34 CFR §300.323(a).

#### **ISSUE FOUR: SUPPLEMENTARY AIDS AND SERVICES**

##### **Findings of Fact**

1. [REDACTED] PCS changed the student's location assignment to The [REDACTED] on [REDACTED], with a planned start date of [REDACTED].
2. [REDACTED] had a field trip for students on [REDACTED].
  - a. [REDACTED] did not plan for the student's attendance on this field trip because [REDACTED] was no longer the student's assigned campus.
3. On [REDACTED] the IEP Team found the student eligible for transportation services as a student requiring structured transportation supports (STS) to access FAPE.
  - a. On [REDACTED] [REDACTED] PCS amended the student's IEP to add transportation services.
4. The [REDACTED] had a field trip for students on [REDACTED].
  - a. The parent transported the student to [REDACTED] on this date and thus the student was not able to attend the field trip.
5. [REDACTED] PCS transported the student to The [REDACTED] from [REDACTED].
6. On [REDACTED] OSSE DOT transportation services began.

##### **Discussion/Conclusion**

**[REDACTED] PCS has complied with 34 CFR §§300.107 & 300.117, because the student did not participate in field trips due to the student being transported to the incorrect campus by the parent, not due to a lack of supports and services that would allow [REDACTED] to participate in field trips.**

Pursuant to 34 CFR §300.107, each public agency must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the student's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings. (34 CFR §300.117) The complainant alleges that [REDACTED] PCS discriminated against the student by refusing to allow [REDACTED] to participate in a field trip when [REDACTED] was unable to accompany the student.

[REDACTED] PCS changed the student's location assignment to The [REDACTED] on [REDACTED], with a planned start date of [REDACTED]. [REDACTED] had a field trip for

students on [REDACTED]. The parent transported the student to that campus on that day, but [REDACTED] did not plan for the student's attendance on this field trip because [REDACTED] was no longer the student's assigned campus. On [REDACTED] the IEP Team found the student eligible for transportation. On [REDACTED] PCS amended the student's IEP to add transportation services. The [REDACTED] had a field trip for students on the following day, [REDACTED]. The parent again transported the student to [REDACTED] on this date and thus the student was not able to attend the field trip. On [REDACTED] PCS transported the student to The [REDACTED] until OSSE DOT services began on [REDACTED]. As found under Issue Three above, [REDACTED] PCS should have transported the student to The [REDACTED] on [REDACTED], which would have allowed the student to participate in the field trip. OSSE finds that the student did not participate in field trips due to [REDACTED] PCS's failure to transport the student to The [REDACTED], not due to a lack of supports and services that would allow [REDACTED] to participate in field trips. The failure to transport the student is addressed under Issue Three above.

Therefore, [REDACTED] PCS has complied with 34 CFR §§300.107 and 300.117.

#### **ISSUE FIVE: REEVALUATION**

##### **Findings of Fact**

1. [REDACTED] PCS held the student's initial evaluation and eligibility determination on [REDACTED].
2. On [REDACTED] [REDACTED] PCS authorized the parent to obtain an independent evaluation.

##### **Discussion/Conclusion**

**[REDACTED] PCS has complied with 34 CFR §§300.303(a)(2) and 300.502, because it authorized the parent to obtain an independent evaluation.**

Pursuant to 34 CFR §300.303(a)(2), a public agency must ensure that a reevaluation of each child with a disability is conducted if the child's parent requests a reevaluation. The parents of a child with a disability have the right to obtain an independent educational evaluation of child. (34 CFR §300.502(a)(1)) A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency. (34 CFR §300.502(b)(1)) The complainant alleges that when [REDACTED] asked for an independent evaluation, [REDACTED] PCS told [REDACTED] that it could not be done until they reviewed the student's IEP.

[REDACTED] PCS held the student's initial evaluation and eligibility determination on [REDACTED]. Due to the parent's disagreement with the change in location of services [REDACTED] requested an independent evaluation. On [REDACTED] [REDACTED] PCS authorized the parent to obtain an independent evaluation.

Therefore, [REDACTED] PCS has complied with 34 CFR §§300.303(a)(2) and 300.502.

#### **CONCLUSIONS**

1. [REDACTED] PCS has complied with 34 CFR §300.322, because it ensured parent attendance

and participation at all IEP Team meetings.

2. [REDACTED] PCS has complied with 34 CFR §300.116(b)(2), because it based the student's placement on [REDACTED] IEP.
3. [REDACTED] PCS has not complied with 34 CFR §300.323(a), because it failed to make transportation services available to the student on [REDACTED].
4. [REDACTED] PCS has complied with 34 CFR §§300.107 & 300.117, because the student did not participate in field trips due to the student being transported to the wrong campus, not due to a lack of supports and services that would allow [REDACTED] to participate in field trips.
5. [REDACTED] PCS has complied with 34 CFR §§300.303(a)(2) and 300.502, because it authorized the parent to obtain an independent evaluation.

### **CORRECTIVE ACTION**

1. In order to correct the noncompliance with 34 CFR §300.323(a), [REDACTED] PCS must:
  - a. Issue guidance to staff members to ensure that interim transportation services are available following the addition of the services to the IEP until OSSE DOT transportation services begin. Documentation of the completion of this action must be provided to OSSE within 45 days of the date of this letter.

All corrective action must be completed by the due date listed, and in no case later than one year from the date of this letter. If you have any questions regarding this decision, please contact Victoria Glick, Manager, State Complaints at [Victoria.Glick@dc.gov](mailto:Victoria.Glick@dc.gov) or 202-724-7860.

Sincerely,



Elisabeth M. Morse

Interim Assistant Superintendent, Division of Systems and Supports, K-12

cc: [REDACTED], Complainant