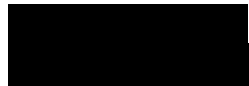




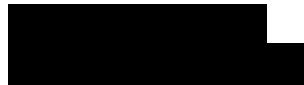
DISTRICT OF COLUMBIA
OFFICE OF THE STATE SUPERINTENDENT OF
EDUCATION

July 11, 2022

VIA Electronic Mail



District of Columbia Public Schools



RE: State Complaint No. 021-028 Letter of Decision

LETTER OF DECISION

PROCEDURAL BACKGROUND

██████████ 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 ██████████ (complainant or parent) against the District of Columbia Public Schools (DCPS) alleging violations in the special education program of her ██████████ ██████████ hereinafter “student” or “child.”

The complainant alleged that DCPS 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 provide work-based learning opportunities.

The SCO for OSSE has completed its investigation of the State complaint. During the course of the investigation OSSE determined that DCPS complied with its obligation to provide special education services in accordance with student’s IEP. 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 provide IEP services at 34 CFR §300.323(c)(2)**
 - a. Failure to make available special education and related services in accordance with students’ IEP, specifically with regard to work-based learning opportunities.

INVESTIGATIVE PROCEDURE

The investigation included interviews with the following individuals:

- 1. DCPS [REDACTED]
- 2. DCPS [REDACTED]
- 3. DCPS [REDACTED]

The investigation also included review of the following documents which were either submitted by the complainant, submitted by DCPS, 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 autism spectrum disorder.
- 3. The student’s local educational agency (LEA) is DCPS.

ISSUE: IEP SERVICES

DCPS has complied with 34 CFR §300.323(c)(2), because it provided the special education services required by the student’s IEP and made available community work opportunities through the [REDACTED]

Pursuant to 34 CFR §300.323(c)(2), each public agency must ensure that as soon as possible following development of the IEP, special education and related services are made available to the child in accordance with the child's IEP. The complainant alleges that the student was not allowed to work at the [REDACTED].

Findings of Fact and Discussion

[REDACTED]

At the start of the [REDACTED] school year, no students were participating in [REDACTED] placements due to the COVID-19 pandemic. Instead, the students participated in in-school internships. [REDACTED] students began to [REDACTED]

return to community work placements. [REDACTED]

OSSE reviewed the student's [REDACTED] IEPs that were in effect for the [REDACTED] school year dated [REDACTED]

[REDACTED]. OSSE finds that DCPS provided the special education services required by the student's IEP and made available work opportunities [REDACTED].

Therefore, DCPS has complied with 34 CFR §300.323(c)(2).

CONCLUSION

1. DCPS has complied with 34 CFR §300.323(c)(2), because it provided the special education services required by the student's IEP and made available community work opportunities [REDACTED]

If you have any questions regarding this decision, please contact me at Kirstin.Hansen@dc.gov or 202-445-4893.

Sincerely,

Kirstin K Hansen

Kirstin Hansen
State Complaints Manager, Division of Systems and Supports, K-12

[REDACTED]