



October 9, 2025

VIA Electronic Mail

[REDACTED]
[REDACTED] Public Charter School
[REDACTED]

RE: State Complaint No. 025-002 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 Strategic Funding for School Quality received a State complaint from [REDACTED] (parent or complainant) against the [REDACTED] Public Charter School (PCS) alleging violations in the special education program of their child, [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 follow evaluation procedures, ensure meaningful parent participation, and review the child’s individualized education program (IEP) annually.

The SCO for OSSE has completed its investigation of the State complaint. During the course of the investigation OSSE determined that [REDACTED] PCS appropriately followed evaluation procedures and ensured parent participation in IEP meetings but did not timely finalize the student’s IEP following the child’s annual review meeting. 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. Evaluation requirements at 34 CFR §300.304(c)(4)**
 - a. Failure to follow evaluation procedures, specifically with regard to assessing the child in all areas related to the suspected disability.

2. Parent participation requirements at 34 CFR §300.501

- a. Failure to ensure meaningful parent participation while updating the child’s IEP, specifically by failing to timely schedule IEP meetings.

3. IEP revision requirements at 34 CFR §300.324(b)(1)(i)

- a. Failure to review the children's IEPs periodically, but not less than annually.

INVESTIGATIVE PROCEDURE

The investigation included interviews with the following individuals:

- 1. Complainant
- 2. [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 Programs data system:

[REDACTED]

FINDINGS OF FACT

- 1. The student is [REDACTED] years old and qualifies for special education and related services under the primary classification of Specific Learning Disability as defined by 34 CFR §300.8.
- 2. The student’s local education agency during the [REDACTED] school year was [REDACTED]

- PCS. The student is currently not enrolled in an LEA during the [REDACTED] school year.
3. On [REDACTED], [REDACTED] PCS emailed the parent a copy of the student's draft IEP. [REDACTED] PCS included in their email to the parent that the IEP would be discussed and finalized at the annual review meeting on [REDACTED].
 4. On [REDACTED], the student's IEP Team, which includes the child's parent, convened for the student's annual IEP Team meeting. The student's prior annual IEP Team meeting was on [REDACTED].
 5. Following the child's annual review meeting, [REDACTED] PCS provided the parent with a copy of the [REDACTED] IEP meeting notes on [REDACTED]. The student's IEP was not finalized until [REDACTED], 54 days after the annual IEP meeting. However, [REDACTED] PCS did begin implementing the revised IEP services following the [REDACTED] annual review meeting. For example, [REDACTED] PCS first found the child eligible for transportation services at the IEP meeting and began implementing these services on [REDACTED].
 6. Prior to the finalization date of the student's IEP, the IEP was amended on [REDACTED], based on changes requested by the parent. While the IEP was not finalized at this time, [REDACTED] PCS followed IEP amendment procedures. The IEP Team agreed to amend the child's IEP without convening an IEP Team meeting.
 7. On [REDACTED], the parent contacted [REDACTED] PCS to convene an IEP meeting to discuss the student's progress. The IEP Team met on [REDACTED]. Prior written notice was provided to the parent after the meeting and noted that the child's IEP was amended to reflect changes to the student's present level of performance and goals. The IEP amendment was finalized on [REDACTED].
 8. The student's IEP Team met again on [REDACTED] at the parent's request to discuss discrepancies between testing and grade level expectations. To address the parent's concerns, it was proposed that the child would be reevaluated.
 9. On [REDACTED], the parent's attorney contacted [REDACTED] PCS to request the consent form for evaluation, prior written notice regarding the [REDACTED] IEP meeting, and to schedule another IEP meeting to be held between [REDACTED] and [REDACTED]. [REDACTED] PCS responded to the parent's attorney the following day and provided both the PWN and the consent form. The following outlines the communications between the complainant and [REDACTED] PCS regarding scheduling an IEP meeting to discuss the student's reevaluation.
 - On [REDACTED], [REDACTED] PCS requested clarity from the parent's attorney on the purpose of the proposed [REDACTED] IEP meeting. In response, the parent's attorney stated the purpose of the meeting was to discuss the results of the reevaluation. [REDACTED] PCS informed the parent's representatives the reevaluation would not be completed by the proposed dates and recommended

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scheduling the meeting for a later date.

- On [REDACTED], the parent's attorney provided times the parent and their representatives would be available between [REDACTED] and [REDACTED].
 - On [REDACTED], [REDACTED] PCS responded to the parent's attorney that it still had not received a signed consent form from the parent and, therefore, the formal evaluation had not yet taken place. The signed consent form was provided to [REDACTED] PCS later on that same date.
 - On [REDACTED], the parent's attorney emailed [REDACTED] PCS that it was their understanding the evaluation had been completed and requested an IEP meeting be held "in the next week or so." On the same date, [REDACTED] PCS stated the evaluation had not yet been completed. The parent's attorney then requested a tentative date for the IEP Team meeting be scheduled.
 - On [REDACTED], [REDACTED] PCS communicated to the parent that the school psychologist had completed the evaluation. [REDACTED] PCS requested availability from the parent and their representatives for an IEP meeting during the week of [REDACTED].
 - On [REDACTED], the parent's representatives provided two dates that would work well for the meeting. On [REDACTED], the LEA's attorney provided two dates that would work well for them. On [REDACTED], [REDACTED] PCS confirmed that the IEP Team meeting would be scheduled for [REDACTED] at 2:30pm.
 - On [REDACTED], the parent's attorney confirmed the meeting time was acceptable and requested a copy of the evaluation records. On that same date, [REDACTED] PCS responded that due to staff absences and the [REDACTED] holiday, the evaluation report would be sent on [REDACTED].
 - [REDACTED] PCS provided a copy of the formal evaluation report to the parent on [REDACTED].
 - On [REDACTED], the parent's representatives notified [REDACTED] PCS that the IEP Team meeting scheduled for that day would need to be rescheduled.
 - On [REDACTED], the parent's attorney followed up via email with [REDACTED] PCS to reschedule the meeting. The parent's team provided availability to schedule the meeting between [REDACTED] and [REDACTED].
 - On [REDACTED], the LEA's attorney notified the parent and their representatives that the student had been unenrolled from [REDACTED] PCS and, therefore, the meeting should be scheduled with the child's new LEA.
10. The student's [REDACTED] academic reevaluation included the administration of the Woodcock Johnson Tests of Achievement, Fourth Edition (WJ-IV) as well as interviews with two of the child's teachers and parent. The academic reevaluation report was

finalized on [REDACTED].

- The psychologist who conducted the reevaluation found the student continues to meet the criteria for a Specific Learning Disorder with impairment in reading and in written expression.
- The results of the WJ-IV found the student's ability is in the low average and low range.

11. The student was previously evaluated in [REDACTED]. In the previous evaluation, the WJ-IV was also administered. The results indicated the student's ability in reading and writing was mostly in the low average and low range.

ISSUE ONE: EVALUATION

[REDACTED] PCS has complied with 34 CFR §300.304(c)(4), because it appropriately conducted an evaluation of the student based on the child's needs.

Pursuant to 34 CFR §300.304(c)(4), each public agency must ensure that when conducting an evaluation, the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. The complainant alleges that [REDACTED] PCS conducted testing that did not accurately reflect the child's learning needs.

Discussion

In the complaint, the parent alleges that the testing conducted by [REDACTED] PCS did not accurately reflect the child's needs. The basis of the parent's allegation is that reportedly there is a discrepancy in the results of the student's grade-level performance between previous and new testing. OSSE finds no evidence that [REDACTED] PCS did not appropriately conduct or report the results of the student's formal evaluation and informal assessments.

Although the child's IEP Team determined that the student was making progress towards the child's IEP goals, which were developed based on the child's needs, the parent raised concerns about the accuracy of testing. In response to the parent's concerns, [REDACTED] PCS continually made effort to address them through convening IEP meetings, amending the child's IEP, and agreeing to conduct a reevaluation. The [REDACTED] psychological evaluation report includes results that are overall consistent with the results of the student's prior evaluation. There is some variation, however, this is typical for children year to year. OSSE finds that the data collected and reviewed by the IEP Team provides an accurate account of the student's performance level and educational needs.

Therefore, [REDACTED] PCS has complied with 34 CFR §300.304(c)(4).

ISSUE TWO: PARENT PARTICIPATION

[REDACTED] PCS has complied with 34 CFR §300.501, because it appropriately scheduled IEP meetings in response to the parent's requests during the [REDACTED] school year.

Pursuant to 34 CFR §300.501, the parents of a child with a disability must be afforded an opportunity to participate in meetings regarding the identification, evaluation, and educational placement of the child as well as the provision of free appropriate public education. The complainant alleges that [REDACTED] PCS failed to respond to the parent's requests for an IEP meeting.

Discussion

The complainant asserts that during the [REDACTED] school year, [REDACTED] PCS failed to timely respond to the parent's requests for an IEP meeting. OSSE finds that [REDACTED] PCS consistently scheduled meetings with the parent when requested during the [REDACTED] school year.

With regard to the student's reevaluation meeting, [REDACTED] PCS appropriately scheduled the IEP Team meeting following the completion of the student's evaluation. [REDACTED] PCS was prepared to meet on [REDACTED]; however, the parent cancelled this IEP meeting. Regarding the parent's request to reschedule this IEP Team meeting between [REDACTED] and [REDACTED], [REDACTED] PCS was not required to comply with the parent's request as the student was no longer a student at [REDACTED] PCS at that time.

Of note, while [REDACTED] PCS did appropriately provide the student's evaluation report 24 hours before the scheduled [REDACTED] IEP meeting, the report was finalized on [REDACTED]. As best practice, an LEA should strive to provide relevant documentation to a parent as soon as possible to ensure the parent has ample time to review the documentation prior to an IEP meeting.

Therefore, [REDACTED] PCS has complied with 34 CFR §300.501.

ISSUE THREE: ANNUAL IEP REVIEW

[REDACTED] PCS has not complied with 34 CFR §300.324(b)(1)(i), because although it held the student's annual IEP Team meeting, it did not finalize the student's IEP timely.

Pursuant to 34 CFR §300.324(b)(1)(i), each public agency must review a child's IEP no less than annually to determine whether the annual goals for the child are being achieved. The complainant alleges that [REDACTED] PCS failed to timely schedule the child's annual review meeting.

Discussion

██████████ PCS convened the child's IEP Team on ██████████ for the student's annual IEP meeting. While the meeting was held before the annual review date, ██████████ PCS did not finalize the IEP following this meeting timely. Specifically, the student's IEP was not finalized until ██████████, nearly two months after the IEP annual review date.

While ██████████ PCS failed to timely finalize the IEP, it did engage with the parent following the IEP Team meeting as evident by the IEP Team engaging in the formal IEP amendment process, which takes place after a student's annual review during the school year, on ██████████. Although the IEP was not finalized, ██████████ PCS began implementing the prescribed IEP services following the ██████████ IEP meeting. As such, OSSE finds there was no educational harm due to the failure to timely finalize the student's IEP.

Therefore, ██████████ PCS has not complied with 34 CFR §300.324(b)(1)(i).

COMPLIANCE FINDINGS

1. ██████████ PCS has complied with 34 CFR §300.304(c)(4), because it appropriately conducted an evaluation of the student based on the child's needs.
2. ██████████ PCS has complied with 34 CFR §300.501, because it appropriately scheduled IEP meetings in response to the parent's requests during the ██████████ school year.
3. ██████████ PCS has not complied with 34 CFR §300.324(b)(1)(i), because although it held the student's annual IEP Team meeting, it did not finalize the student's IEP timely.

CORRECTIVE ACTION

IDEA requires that State complaint procedures include those for effective implementation of decisions made as a result of a State complaint investigation, including corrective actions to achieve compliance.¹ Accordingly, the SCO has established reasonable time frames below to ensure that noncompliance is corrected in a timely manner. The SCO will follow up with the public agency to ensure that it completes the required actions and provides the documentation of the completion of the corrective actions listed below.

In order to correct the noncompliance with 34 CFR §300.324(b)(1)(i), ██████████ PCS must do the following:

¹ 34 CFR §300.152

Corrective Action	Documentation Required to Demonstrate Compliance	Action Shall Be Completed No Later Than:
<p>1a. Train relevant staff members on the procedural requirements regarding the timely finalization of IEPs.</p>	<p>██████████ PCS shall submit training materials (i.e. slideshow) <u>prior</u> to conducting the training for approval.</p> <p>Following approval and completion of training, ██████████</p> <p>██████████ PCS shall provide:</p> <ul style="list-style-type: none"> • A sign-in sheet, list, or email documenting required staff completed the training. 	<p>Training materials shall be submitted to OSSE for approval within 20 days of this letter of decision.</p> <p>Documentation of the completion of the training shall be provided to OSSE within 15 business days of approval of the training materials.</p>

All corrective actions must be completed by the date specified above, but in no case later than one year from the date of this letter. Failure by the LEA to meet any of the timelines set forth above may adversely affect the agency’s annual determination under the IDEA and subject the LEA to enforcement action by OSSE.

CONCLUSION

The Decision of the SCO is final and is not subject to appeal. Pursuant to 5-A DCMR §3048.6, if an issue is still in dispute, the parent or LEA may, to the extent permitted under IDEA, request mediation or file a due process complaint on the issue with which the party disagrees. This Decision shall become final as dated by the signature of the undersigned. If you have any questions regarding this decision, please contact me at Kirstin.Hansen@dc.gov or 202-741-0274.

Sincerely,

Kirstin Hansen

Kirstin Hansen
 State Complaints Manager
 Office of Special Education

cc: ██████████, Complainant