



October 15, 2025

VIA Electronic Mail

[REDACTED]
Public Charter School

RE: State Complaint No. 025-003 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 David Chachere (complainant) against the [REDACTED] Public Charter School (PCS) alleging violations in the special education program of students with disabilities, hereinafter “students” or “children.”

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 timely upload appropriate documentation to the District of Columbia special education data system and to provide accurate and reliable data.

The SCO for OSSE has completed its investigation of the State complaint. During the course of the investigation OSSE determined that [REDACTED] has complied with timely uploading appropriate documentation to the District of Columbia special education data system and providing accurate and reliable data. 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. **Student Record Requirements at 5-A DCMR §3029.2**
 - a. Failure to update a student’s record or upload appropriate documentation in the designated District of Columbia special education data systems no later

than five business days after a change.

2. Data Requirements at 34 CFR §§300.211, 300.600(d) and 300.601(b)

- a. Failure to provide accurate and reliable data.

INVESTIGATIVE PROCEDURE

The investigation included interviews with the following individuals:

1. Complainant

2. [REDACTED] PCS [REDACTED]

3. OSSE [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 students included in this investigation are children with disabilities as defined by 34 CFR §300.8.
2. The children's local education agency during the [REDACTED] school year was [REDACTED] PCS.
3. 10 student special education files were reviewed as part of the investigation. The specific students were named by the complainant in supporting documentation provided with the original complaint filing. To determine compliance with maintaining and uploading documentation to Special Programs, the SCO utilized the document finalization date as the best available standard for determining the date of the upload or update of appropriate documentation. The following table provides a summary of the student file review conducted by the SCO.

Student #	Date IEP Created	Date of Annual IEP Meeting	Date IEP Finalized	Date of Progress Report	Date Progress Report Finalized
Student #1	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #2	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #3	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #4	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #5	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #6	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #7	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #8	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #9	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Student #10	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

4. [REDACTED] PCS finalized the children’s IEPs within one to 16 business days following the students’ annual IEP review meetings. The IEPs of two students were finalized less than five business days following their IEP meetings. In most circumstances, the student files in which the IEPs were finalized more than five business days following the annual IEP meeting were due to a system function in how IEP goals populate into student progress reports. The annual IEP meeting dates for the student files reviewed in this complaint were mostly held during the Quarter Two progress reports window.
5. Student #7’s IEP was finalized 10 business days following the annual IEP review meeting. This was due to the student’s attorney requesting additional time to review the IEP draft prior to finalization.
6. Student #9’s IEP was finalized seven business days following the annual IEP review meeting due to the student’s case manager requiring additional time to complete the IEP.
7. In all cases except for one, the students’ IEPs were finalized within fifteen business days of the annual IEP meeting. The one exception to this was Student #10. Student #10’s IEP was finalized 16 days after the annual IEP meeting. While this exceeds the maximum fifteen business day threshold for finalizing IEPs established in the DCMR, this student’s file was impacted by the Special Programs functionality regarding progress reports. Therefore, the student’s untimely IEP finalization is not the result of noncompliance by [REDACTED] PCS, but rather a system issue. [REDACTED] PCS finalized the student’s IEP as soon as possible once the issue was resolved.
8. The student file review indicated no evidence that draft IEPs were untimely provided to parents nor that progress reports were untimely completed.

9. To determine validity and reliability of data, the SCO reviewed the student IEP finalization dates and the LEA SEPR measurements monitored. In FFY [REDACTED] SEPR, there are 10 LEA compliance measures and 13 student progress measures. The timely or untimely finalization of IEPs do not impact any of the SEPR measurements for this specific student population.

ISSUE ONE: STUDENT RECORD

[REDACTED] PCS has complied with 5-A DCMR §§3029.2 and 3009.8, because it timely and appropriately followed student record update and upload procedures regarding the students' IEPs and progress reports.

Pursuant to 5-A DCMR §3029.2, the LEA shall update a student's record or upload appropriate documentation in the District of Columbia special education data systems no later than five business days after a change. The LEA shall provide the parent with a copy of the child's new or amended completed IEP at no cost no later than five business days after the IEP Team meeting, or if the IEP has not been completed by the fifth business day, the LEA shall provide the parent with the latest available draft IEP and a completed copy of the IEP no later than fifteen business days after the IEP Team meeting to develop the new or amended IEP. (5-A DCMR §3009.8) The complainant alleges that [REDACTED] PCS has not timely maintained and uploaded appropriate documentation into the special education data system for multiple students.

Discussion

In the complaint, the complainant alleges [REDACTED] PCS has not followed appropriate timelines with regard to updating and/or uploading IEP documentation into the special education database, Special Programs. The SCO reviewed the records of ten specific students cited by the complainant in the complaint. With regard to IEPs, the IEP finalization date is the best available date for determining if the documentation was uploaded timely. While 5-A DCMR §3029.2 cites that documentation is timely if uploaded to Special Programs within five business days of a change, 5-A DCMR 3009.8 provides that if an IEP has not been finalized within five business days after the IEP Team meeting, a draft copy shall be provided to the parent by the fifth business day and the final copy shall be completed by the fifteenth business day. Nine of the ten students had their IEPs either finalized prior to the fifth business day following the annual review meeting or, if additional time was needed, by the fifteenth business day. For one student file reviewed, specifically the file of Student #10, the IEP was not finalized until the sixteenth business day. During the course of the investigation, it was found that this student's IEP was only finalized late due to a system function regarding the processing of annual IEP goals in the Quarter Two progress reports. As such, OSSE SCO finds that [REDACTED] PCS appropriately finalized Student #10's IEP as soon as possible in response to the system issue. During the investigation, the complainant also alleged that [REDACTED] PCS did not timely

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provide draft IEPs prior to a student’s annual review meeting as well as timely upload progress reports. The SCO found neither of these allegations to be substantiated based on the creation date of student IEPs and finalization date of student progress reports. The complainant also raised an allegation during the investigation regarding the timely upload of IEP signature pages; however, the complainant provided no facts for which this allegation was based on. The [REDACTED] PCS [REDACTED] did state in their interview, however, that there is an internal review process for ensuring IEP signature pages are timely completed and uploaded.

Therefore, [REDACTED] PCS has complied with 5-A DCMR §§3029.2 and 3009.8.

ISSUE TWO: DATA VALIDITY

[REDACTED] PCS has complied with 34 CFR §§300.211, 300.600(d) and 300.601(b), because the timeliness of finalizing student IEPs do not impact the validity and reliability of data available to OSSE.

Pursuant to 34 CFR §300.211, the LEA must provide the SEA with information necessary to enable the SEA to carry out its duties under Part B of the Act, including information relating to the performance of children with disabilities receiving special education under Part B of the Act. The State must monitor LEAs in the State using quantifiable indicators to measure performance relating to the provision of free appropriate public education (FAPE) in the least restrictive environment.¹ Additionally, each State must collect valid and reliable information as needed to report annually.² The complainant alleges that due to the untimely completion of student documents, the data provided to OSSE by [REDACTED] PCS is not accurate and reliable.

Discussion

While the SCO did not find the allegations raised under Issue One to be substantiated, the SCO had concurrently investigated this issue. To determine if the alleged untimely upload of a student’s IEP impacted data accuracy, the SCO reviewed the District of Columbia SEPR measures. SEPR annually evaluates an LEA based on performance metrics in two areas: 1) annual IDEA compliance requirements, and 2) key student progress measures. In an interview with the OSSE [REDACTED], who manages LEA monitoring and the SEPR, they stated that there have been no concerns regarding the validity and reliability of [REDACTED] PCS special education data. Additionally, even if the allegations under Issue One were found to be substantiated, the allegations do not impact any of the SEPR measures for this student population.

¹ 34 CFR §300.600(d)

² 34 CFR §300.601(b)

Therefore, [REDACTED] PCS has complied with 34 CFR §§300.211, 300.600(d) and 300.601(b).

COMPLAINT FINDINGS

1. [REDACTED] PCS has complied with 5-A DCMR §§3029.2 and 3009.8, because it timely and appropriately followed student record update and upload procedures regarding the students' IEPs and progress reports.
2. [REDACTED] PCS has complied with 34 CFR §§300.211, 300.600(d) and 300.601(b), because the timeliness of finalizing student IEPs do not impact the validity and reliability of data available to 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: David Chachere, Complainant