



January 8, 2026

VIA Electronic Mail

[REDACTED]
Public Charter School
[REDACTED]

RE: State Complaint No. 025-014 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] (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 appropriately develop and revise the child’s individualized education program (IEP) based on the child’s needs and information provided by the parent.

The SCO for OSSE has completed its investigation of the State complaint. During the course of the investigation OSSE determined that [REDACTED] PCS has complied with appropriately developing the child’s IEP based on information provided by the parent and the child’s needs. This Letter of Decision is the report of the final results of OSSE’s investigation.

COMPLAINT ISSUE

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. IEP development at 34 CFR §§300.324(a)(1) and 300.324(b)(1)**
 - a. Failure to appropriately develop and revise the child’s IEP based on the child’s need and information provided by the parent.

INVESTIGATIVE PROCEDURE

The investigation included interviews with the following individuals:

- 1. Complainant
- 2. [REDACTED] PCS [REDACTED]
- 3. [REDACTED] PCS [REDACTED]
- 4. [REDACTED] PCS [REDACTED]
- 5. [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]

[REDACTED] complaint

FINDINGS OF FACT

- 1. The student is [REDACTED] years old and qualifies for special education and related services under the primary classification of Speech Language Impairment as defined by 34 CFR §300.8.
- 2. The student’s local education agency during the [REDACTED] school year is [REDACTED] PCS
- 3. On [REDACTED], the child, who had not yet reached school age, was independently evaluated in the area of speech-language skills. The student’s language skills were assessed using the Receptive-Expressive Emergent Language Test (REEL-4). Attempts were made to assess the child’s language using the Goldman Fristoe Test of Articulation, Third Edition (GFTA-3) and Dynamic Examination of Motor Speech Skill (DEMSS); however, the formal assessments were not completed due to the child’s difficulty with

production and frustration level. The evaluator determined that the child's expressive language and speech sound production skills were significantly impaired. As a result, it was the evaluator's recommendation that the child receive speech-language treatment two times per week.

4. On [REDACTED], an IEP Team meeting was held to review the child's [REDACTED] independent speech-language evaluation. The IEP Team determined the child was eligible to receive special education services and subsequently developed an initial IEP for the student. The student's [REDACTED] prescribed the child to receive three hours monthly of speech-language services outside of the general education environment. In addition, the child's IEP prescribes an AAC device accommodation and establishes three speech-language goals. While the parent raised concern regarding the amount of speech-language services prescribed by the student's IEP, the IEP Team agreed to reconsider it after the [REDACTED] school year commenced due to no school-level data being available at the time in which the IEP was developed.
5. On [REDACTED], the child's IEP Team convened for the child's 30-day review meeting. At this meeting, the student's IEP was amended to prescribe 30 minutes monthly of speech-language consultation services. Additionally, the IEP amendment notes, "As school has only resumed for less than 45 days, more time may be needed for [the child] to acclimate to functioning in the school culture/environment." Additionally, the parent requested a reevaluation of the child on this date.
6. While at [REDACTED] PCS, the student is in an early childhood classroom that utilizes the language-based curriculum, Super Sound. As such, all students in the class work on speech-language development on a daily basis. The student's school-based speech-language provider works collaboratively with the student's classroom teacher to help support the student and inform special education services.
7. On [REDACTED], the parent obtained an independent developmental evaluation of the child. The student was assessed using the Adaptive Behavior Assessment System, Third Edition (ABAS-3), the Bayley Scales of Infant and Toddler Development, Fourth Edition (Bayley-4), Child Behavior Checklist (CBCL), as well as a clinical observation and interview. The evaluation determined the student's receptive and expressive language skills were delayed and the child had significant challenges in speech articulation.
8. During [REDACTED] and [REDACTED], [REDACTED] PCS conducted a speech-language evaluation of the child, following the parent's [REDACTED] request for a reevaluation. The student was evaluated using the Preschool Language Scales, Fifth Edition (PLS-5), Goldman-Fristoe Test of Articulation, Third Edition (GFTA-3), Receptive One Word Picture Vocabulary Test, Fourth Edition (ROWPVT-4), and the Expressive One Word Picture Vocabulary Test, Fourth Edition (EOWPVT-4). [REDACTED] PCS also conducted a classroom observation, teacher interview, and informal assessment of the student's

speech skills. The evaluation determined the student's speech phonology and speech articulation skills were significantly delayed but that the student's receptive and expressive vocabulary skills were within normal limits. The [REDACTED] DC PCS evaluation was conducted by a license speech-language pathologist, who is a school staff member that regularly supports the student.

9. On [REDACTED] [REDACTED] PCS held an eligibility determination meeting following the child's reevaluation. The IEP team determined that the student continued to be eligible for special education services under the disability classification of Speech Language Impairment, increased the student's speech-language services to four hours per month, and agreed to fund an independent educational evaluation.

ISSUE ONE: IEP DEVELOPMENT

[REDACTED] PCS has complied with 34 CFR §§300.324(a)(1) and 300.324(b)(1), because it developed the student's IEP based on the child's needs and considered information provided by the parent.

Pursuant to 34 CFR §§300.324(a)(1) and 300.324(b)(1), each public agency must ensure that when developing or revising an IEP, it considers the strengths of the child, the concerns of the parents, the results of the initial or most recent evaluation of the child, and the academic, developmental, and functional needs of the child. The complainant alleges that [REDACTED] PCS did not appropriately develop and revise the student's IEP to effectively support the student's needs regarding speech-language skill development.

Discussion

The child is currently enrolled in their first year of [REDACTED] in the District at [REDACTED] PCS for the [REDACTED] school year. In [REDACTED], prior to being of school age, the child was independently evaluated to assess concerns regarding the child's speech-language development. The [REDACTED] evaluation concluded the child's speech-language ability was non-commensurate with the child's chronological age and, therefore, recommended the child engage in speech-language services at a frequency of two times per week.

In preparation for the [REDACTED] school year, [REDACTED] PCS reviewed and met with the complainant on [REDACTED] to determine if the child qualified for special education services. At the [REDACTED] meeting, the IEP Team determined the child was eligible for special education and subsequently developed an initial IEP for the student. The child's [REDACTED] initial IEP prescribes the student to receive three hours monthly of school-based speech-language services. The student's IEP was developed by the IEP Team, which includes the child's parents, and was based primarily on the [REDACTED] independent evaluation. As the child had not yet attended school, there was no school-level data available. The complainant expressed

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concern with the frequency of services prescribed by the child's IEP due to the recommendations presented by the independent evaluation; however, the [REDACTED] PCS IEP Team members expressed that it can be revisited once school-level data is collected and reviewed. Importantly, in developing a child's IEP, the IEP Team is required to consider information provided by the child's parents as well as the child's needs. Further, decisions regarding a child's IEP are made by a team decision. An IEP Team is not required to adopt all of the recommendations made by a provider or a child's parent. In this case, [REDACTED] PCS clearly considered all information available regarding the child and made a team decision on the needs of the child in the unique environment of a school.

Upon the [REDACTED] school year commencing, the parent continued to raise concern regarding the frequency of speech-language services. In an effort to address the parent's concerns at the 30-day review meeting, [REDACTED] PCS amended the child's IEP on [REDACTED] to prescribe 30 minutes of speech consultation services on a monthly basis. At the aforementioned meeting, the parent requested a school-based speech-language reevaluation, which [REDACTED] PCS appropriately conducted. As of the date of this letter of decision, the IEP Team has not convened for the child's eligibility determination meeting following this reevaluation due to scheduling conflicts. Importantly, however, the reevaluation summary report had been shared with the parent which contributed to the State complaint filing. Specifically, the parent is concerned regarding the validity of the evaluation as the summary report findings are inconsistent with an independent child development evaluation that was conducted during the same timeframe. In a review of the independent child development evaluation and the [REDACTED] PCS reevaluation, both reports indicate concerns regarding the child's present speech-language performance; however, there is variance in the specific areas. Each of the assessments conducted looked at related but varying domains of functioning. As such, it is likely that each session would capture different aspects of the child's function, resulting in the variance present in assessment results. Further, [REDACTED] PCS expressed that the school-based evaluation was conducted by a licensed speech-language pathologist whom the child is familiar with. Therefore, it is possible the student was more comfortable during the school-based evaluation due to there being a clinical relationship already established. Ultimately, the SCO finds no evidence that the [REDACTED] PCS reevaluation is invalid nor unreliable. Furthermore, the SCO's review of [REDACTED] PCS's actions regarding the development and revision of the child's IEP finds that [REDACTED] PCS has appropriately followed special education procedures. Notably, however, while there is no evidence to suggest the school-based evaluation is invalid, [REDACTED] PCS appropriately reviewed the independent evaluation provided by the parent at the child's [REDACTED] eligibility determination meeting. Both evaluations were utilized to determine the student's needs, and the IEP team determined that the student continued to be eligible for

special education services under the disability classification of Speech Language Impairment, increased the student's speech-language services to four hours per month, and agreed to fund an independent educational evaluation.

It is important to note that in addition to the child receiving speech-language special education services, the child is engaging in activities to develop their speech on a daily basis at school. Specifically, the curriculum of the child's [REDACTED] class is language-based. Further, the [REDACTED] PCS speech-language pathologist works collaboratively with the student's classroom teacher to help support the student and inform special education services. [REDACTED] PCS reports that in the academic setting, the student has been progressing.

Therefore, [REDACTED] PCS has complied with 34 CFR §§300.324(a)(1) and 300.324(b)(1).

COMPLAINT FINDING

1. [REDACTED] PCS has complied with 34 CFR §§300.324(a)(1) and 300.324(b)(1), because it developed the student's IEP based on the child's needs and considered information provided by the parent.

CONCLUSION

The Decision of the SCO is final and is not subject to further agency administrative review. 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: [REDACTED], Complainant