



January 30, 2026

VIA Electronic Mail

[REDACTED]

District of Columbia Public Schools

[REDACTED]

RE: State Complaint No. 025-015 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 District of Columbia Public Schools (DCPS) alleging violations in the special education program of their child, [REDACTED] (Student ID # [REDACTED] 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 speech-language services in accordance with the child's individualized education program (IEP).

The SCO for OSSE has completed its investigation of the State complaint. During the course of the investigation OSSE determined that DCPS has not complied with providing speech-language services to the complainant's child and other children at [REDACTED] Elementary School (ES) in accordance with the children's IEPs. 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. IEP services at 34 CFR §300.323(c)(2)

- a. Failure to provide speech therapy services in accordance with the child's IEP

and the IEPs of all [REDACTED] ES students with speech therapy services.

INVESTIGATIVE PROCEDURE

The investigation included interviews with the following individuals:

1. Complainant

The investigation also included review of the following documents which were either submitted by the complainant, submitted by DCPS, or accessible via the Special Programs data system:



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 (LEA) during the [REDACTED] school year is DCPS.
3. The student's [REDACTED] IEP prescribes the student to receive 4 hours monthly of speech-language services.
4. In DCPS's Response to State Complaint 025-015, DCPS acknowledges that there has been a speech-language pathologist shortage at [REDACTED] ES during the [REDACTED] school year which has resulted in students not receiving speech-language services in accordance with their IEPs.
5. From [REDACTED] to [REDACTED], the student only received 30 minutes of speech-language services.
6. Due to the speech-language pathologist shortage, the SCO reviewed six additional files of other children enrolled at [REDACTED] ES. Five of the six students did not receive any speech-language services from [REDACTED] to [REDACTED] in accordance with their IEPs. One of the six additional students received four hours total of speech-language services across [REDACTED] and early [REDACTED].
7. In [REDACTED], DCPS was able to begin providing speech-language services at [REDACTED] ES following the identification of a new speech-language pathologist.

ISSUE ONE: IEP SERVICES

DCPS has not complied with 34 CFR §300.323(c)(2), because it did not provide speech-language services to multiple students in accordance with the children’s IEPs.

Pursuant to 34 CFR §300.323(c)(2), each public agency must ensure as soon as possible following development of the IEP, special education and related services are made available to a child with a disability in accordance with the child’s IEP. The complainant alleges that DCPS has not provided speech-language services to their child due to a provider shortage.

Discussion

The SCO reviewed a sample of student files as part of its investigation of the State complaint. The sample included the complainant’s child as well as six additional [REDACTED] ES students whose IEPs prescribe speech-language services. While two students in the sample, including the complainant’s child, received some speech-language services at the start of the [REDACTED] school year, none of the students received the full amount of speech-language services prescribed by the children’s IEPs. In DCPS’s [REDACTED] Response to State Complaint 025-015, it acknowledges that due to no available speech-language pathologist, students at [REDACTED] ES have not received speech-language services in accordance with the students’ IEPs. While the SCO recognizes that there is a nationwide school speech-language pathologist shortage, DCPS is still responsible for providing the special education and related services prescribed by the students' IEPs.

Therefore, DCPS has not complied with 34 CFR §300.323(c)(2).

COMPLIANCE FINDINGS

1. DCPS has not complied with 34 CFR §300.323(c)(2), because it did not provide speech-language services to multiple students in accordance with the children’s IEPs.

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 §300.323(c)(2), DCPS must do the following:

¹ 34 CFR §300.152

Corrective Action	Documentation Required to Demonstrate Compliance	Action Shall Be Completed No Later Than:
<p>1. Develop a corrective action plan (CAP) to address the noncompliance identified in this letter of decision.</p> <p>The CAP shall include specific actions DCPS will take to ensure the identification of all students with disabilities at ██████ ES impacted by the provider vacancy and its remedy, including but not limited to make-up services and compensatory education. DCPS should also include how it will proactively address similar issues to those identified in this letter of decision.</p>	<p>DCPS shall provide the following to the SCO:</p> <ul style="list-style-type: none"> • A copy of the CAP, AND, • Documentation demonstrating the completion of each action of the CAP, AND, • A monthly log documenting progress toward the completion of determined hours for each student. 	<p>The CAP shall be provided to the SCO for approval within 30 days of this letter of decision.</p> <p>Following the development of the CAP, DCPS shall provide a monthly log to the OSSE State Complaint Investigator on the first of each month until the completion of all determined hours.</p> <p>Documentation of the implementation of the approved CAP shall be provided to the SCO within 180 days of this letter of decision.</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 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
[REDACTED], DCPS
[REDACTED], DCPS