

**VIRGINIA DEPARTMENT OF EDUCATION
DIVISION OF SPECIAL EDUCATION AND STUDENT SERVICES
OFFICE OF DISPUTE RESOLUTION AND ADMINISTRATIVE SERVICES**

NOTICE OF COMPLAINT

School Division Fairfax County Public Schools Ms. Teresa Johnson, Assistant Superintendent of Special Services Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility 8270 Willow Oaks Corporate Drive—2 nd Floor Fairfax, Virginia 22031	Parent(s) - SYSTEMIC COMPLAINT Complainant/Parent Parent 1 Parent 2 Parent 3 Parent 4
Date Complaint Received May 8, 2020	Student(s) - SYSTEMIC COMPLAINT Student A Student B Student C Student D Student E Student F
Notice of Complaint Date May 18, 2020	
Early Resolution Date/ LEA Response Due Date June 4, 2020	
Additional Information Due Date June 18, 2020	Complainant (if other than parent) Complainant/Parent
Findings Due Date July 7, 2020	
Complaints Department Phone # (804) 225-2013	

The Office of Dispute Resolution and Administrative Services in the Virginia Department of Education (VDOE) has received a complaint alleging that Fairfax County Public Schools (FCPS or “LEA”) has violated federal and state laws and regulations governing special education programs. This notice of complaint gives official notice to all parties that a formal written complaint has been filed with our office and confirms that it is sufficient pursuant to federal special education regulations.

APPLICABLE REGULATIONS:

This office will base its investigation and findings on the reauthorization of the federal Individuals with Disabilities Education Improvement Act, December 3, 2004 (IDEA '04), its implementing federal regulations, adopted October 13, 2006 (the 2006 implementing regulations), and the Regulations Governing Special Education Programs for Children with Disabilities in Virginia, effective on July 7, 2009, and were reissued on January 25, 2010, and on July 29, 2015, (the Virginia Regulations). The Virginia Regulations are available online at http://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf.

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services

Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 2

PRELIMINARY NOTES:

Release authorization. The complaint submission was filed by Complainant/Parent, who indicated that four (4) other parents and Complainant/Parent were requesting an investigation of a “systemic complaint.” Complainant/Parent then described the submission as a “joint complaint filing” regarding the respective parents’ children (six total students). The submission included names, addresses, and contact information for Complainant/Parent and the other four parents/five students.

Complainant/Parent transmitted the submission via Complainant/Parent’s personal email; accordingly, Complainant/Parent’s electronic signature was sufficient to authenticate the complaint submission by Complainant/Parent for purposes of 8 VAC 20-81-200.B.2.¹ Significantly, however, the submission failed to include a valid signature (electronic or other) for all other parents.² Accordingly, the submission does not constitute a “joint filing” with regard to the other identified parents.

Further, the submission failed to include a release authorization from the other parents. Therefore, this office will provide Complainant/Parent and each of the identified parents with a copy of this Notice of Complaint, but will not discuss the complaint with or provide additional information to Complainant/Parent with regard to the identified students (other than the student identified as Complainant/Parent’s child) until such time as a release authorizing this office to communicate with Complainant/Parent regarding our investigation into the complaint allegations with regard to the identified students is provided by the respective parents. Similarly, ODRAS will communicate with the identified parents only with regard to their respective children.

Finally, if Complainant/Parent wishes to share information regarding this investigation regarding Complainant/Parent’s own child with the other four parents, Complainant/Parent may certainly do so on Complainant/Parent’s own initiative.

Authority to investigate systemic violation. As noted above, Complainant/Parent has requested that the submission “be investigated as a systemic complaint.” In its *Analysis of Comments and Changes* for the 2006 implementing regulations, the U.S. Department of Education (US ED),

¹ The Virginia Regulations, at 8 VAC 20-81-170.I, provide that “[i]f an electronically filed document contains an electronic signature, the electronic signature has the legal effect and enforceability of an original signature. An electronic signature is an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.” See also, Chapter 42.1 (§ 59.1-479 et seq.) of Title 59.1 of the Code of Virginia.

² Complainant/Parent’s simultaneous transmission of the complaint submission via email to this office and the four other parents does not constitute a valid “signature” or authorization by any of the other four parents.

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services

Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 3

Office of Special Education Programs (OSEP) has stated that state education agencies—such as the VDOE—are “required to resolve any complaint that meets the [sufficiency] requirements” set forth in the 2006 implementing regulations, “including complaints that raise systemic issues...”³ OSEP has also stated that “the broad scope of the State complaint procedures, as permitted in the regulations, is critical to each State's exercise of its general supervision responsibilities. The complaint procedures provide parents, organizations, and other individuals with an important means of ensuring that the educational needs of children with disabilities are met and provide the SEA [state education agency] with a powerful tool to identify and correct noncompliance...”⁴ Accordingly, this office is authorized to investigate alleged systemic violations of special education regulations.

More recently, the Office of Special Education and Rehabilitative Services (OSERS)(US ED) has clarified that a “State complaint alleging systemic noncompliance could be one that alleges that a public agency has a policy, procedure, or practice applicable to a group of children that is inconsistent with Part B or the Part B regulations. An example of a complaint alleging systemic noncompliance is a complaint alleging that an LEA has a policy, procedure, or practice that would limit extended school year (ESY) services to children in particular disability categories or the type, amount, or duration of services that can be provided as ESY services. If the complaint names certain children and alleges that the same violations apply to a class, category, or similarly situated children, the SEA [state education agency] must review all relevant information to resolve the complaint, but would not need to examine additional children if no violations are identified in the policies, procedures, or practices for the named children. However, if the SEA identifies violations for any of the named children, the SEA's complaint resolution must include measures to ensure correction of the violations for all children affected by the alleged systemic noncompliance described in the complaint. Additionally, the SEA would need to examine the policies, procedures, and practices that may be causing the violations, and the SEA's written decision on the complaint

³ U.S. Department of Education, Office of Special Education Programs, *Analysis of Comments and Changes*, at 46605, Federal Register, Vol. 71, No. 156 (August 14, 2006) [hereinafter referred to *Analysis*].

⁴ *Analysis*, at 46601. In this instance, OSEP was responding to a number of commenters, including one who stated that the State complaint procedures should be used only for systemic violations that reach beyond the involvement of one child in a school....” Further, OSEP stated that “placing limits on the scope of the State complaint system, as suggested by the commenters, would diminish the SEA's ability to ensure its LEAs [local education agencies] are in compliance with [IDEA '04] and its implementing regulations, and may result in an increase in the number of due process complaints filed and the number of due process hearings held.” OSEP has reiterated its position that “State complaint procedures are a very important tool in a State's exercise of its general supervision responsibilities...to monitor LEA implementation of the requirements [of IDEA '04]. These responsibilities extend to both systemic and child-specific issues” (*Analysis* at 46694).

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services

Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 4

must contain procedures for effective implementation of that decision, including corrective actions to achieve compliance....”⁵

ISSUE(S) AND REGULATIONS:

1. Individualized Education Program (IEP)—Implementation. Individualized Education Program (IEP)—Development, Review, and Revision. Procedural Safeguards—Prior Written Notice (PWN).

Complainant/Parent has alleged that LEA has violated special education laws and regulations governing IEP implementation and development, review, and revision with regard to **Students A, B, C, D, E, and F, and on a systemic basis.**

More specifically, Complainant/Parent has alleged that:

- LEA “is required to implement Students’ IEPs in order to meet its legal obligation to provide Students a free appropriate public education...but are [sic] failing to do so in violation of federal and state laws”;⁶

⁵ U.S. Department of Education, Office of Special Education Programs, Memorandum, *Dispute Resolution Procedures Under Part B of the Individuals with Disabilities Education Act (Part B)* 61 IDELR 232; 113 LRP 30291 (July 23, 2013).

⁶ Although we include these allegations regarding IEP implementation generally as set forth by Complainant/Parent, we note the *Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak* (March 2020) [hereinafter referred to as “Q & A document”], issued by the United States Department of Education (US ED) specifically advise that:

The IDEA, Section 504, and Title II of the ADA do not specifically address a situation in which elementary and secondary schools are closed for an extended period of time (generally more than 10 consecutive days) because of exceptional circumstances, such as an outbreak of a particular disease.

If an LEA closes its schools to slow or stop the spread of COVID-19, and does not provide any educational services to the general student population, then an LEA would not be required to provide services to students with disabilities during that same period of time. Once school resumes, the LEA must make every effort to provide special education and related services to the child in accordance with the child’s individualized education program (IEP)... The Department understands there may be exceptional circumstances that could affect how a particular service is provided. In addition, an IEP Team...would be required to make an individualized determination as to whether compensatory services are needed under applicable standards and requirements.

If an LEA continues to provide educational opportunities to the general student population during a school closure, the school must ensure that students with disabilities also have equal access [emphasis added] to the same opportunities, including the provision of FAPE. [citations to regulations regarding Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act omitted]. SEAs, LEAs, and

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services

Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 5

- In the context of the closure of all public schools due to the COVID-19 pandemic,⁷ LEA’s “blanket refusal to attempt to implement IEPs equate [sic] to ... denial of FAPE and violation of IDEA”;
- LEA “has not attempted to implement IEPs to the ‘greatest extent possible’”;⁸
 - “The TLPs [Temporary Learning Plans]⁹ issued by [LEA], [sic] state that IEPs won’t be in effect until schools reopen and in themselves indicate [LEA] is coming up with plans that are void of efforts to implement IEPs to ‘best extent possible’”;
- LEA has “implemented TLPs without receiving parent consent” and “absent a revision to the

schools must ensure that, to the greatest extent possible [emphasis added], each student with a disability can be provided the special education and related services identified in the student’s IEP developed under IDEA

Significantly, US ED also stated that its Q & A document “does not create or confer any rights for or on any person. This Q & A document does not impose any additional requirements beyond those included in applicable law and regulations. The responses presented in this document generally constitute informal guidance representing the interpretation of the Department of the applicable statutory or regulatory requirements in the context of the specific facts presented here and are not legally binding.” See <<https://sites.ed.gov/idea/files/qa-covid-19-03-12-2020.pdf>>

⁷ On March 12, 2020, the Governor of Virginia issued Executive Order No. 51, declaring a state of emergency due to the COVID-19 pandemic. On March 13, 2020, the Governor also ordered the closure of all public schools for two-week minimum, commencing March 16, 2020.

On March 23, 2020, the Governor issued Executive Order No. 53, directing the “cessation of all in-person instruction at K-12 schools, public and private, for the remainder of the 2019-2020 school year.” See Executive Order No. 53 (March 23, 2020) <[https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-\(COVID-19\).pdf](https://www.governor.virginia.gov/media/governorvirginiagov/executive-actions/EO-53-Temporary-Restrictions-Due-To-Novel-Coronavirus-(COVID-19).pdf)>

⁸ Complainant/Parent seemingly quotes the US ED March 2020 Q & A document, cited above.

In support of this allegation, Complainant/Parent quoted May 2020 email correspondence from LEA: “The Virginia Department of Education advised school divisions to develop a plan that meets its own individual needs during the time of the emergency school closure. Like other large school divisions in Virginia, [LEA] developed the temporary learning plan model to identify what goals, accommodations and services could be provided to students during this time of closure. The TLP is not an IEP and it is not a waiver of rights under IDEA. Your child’s IEP will be implemented when we resume school. A parent may elect to not provide a signature on the TLP. If you do not sign the TLP, school staff will collaborate with you to resolve your concern. This may include having an administrator, department chair/ lead teacher, and or procedural support liaison (PSL) participate in the conversation. If necessary, an IEP meeting with relevant members of the team can be scheduled. If you choose not to sign the TLP, the outlined service(s) will still be offered and will be delivered, unless you choose to opt out of instruction.”

⁹ Complainant/Parent quoted a May 4, 2020, email from LEA to Complainant/Parent: “During the pandemic and Governor’s order that schools be shut down, [LEA] is not able to implement an entire school day for any students. Consequently, entire IEP services are also not able to be provided at this time. The Temporary Learning Plan is the list of selected services, accommodations and goals that can feasibly be provided during a distance learning format.”

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services

Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 6

IEP”; and LEA “has not provided PWNs explaining their [sic] decisions to deny Student’s [sic] full implementation of their [sic] IEPs and full access to FAPE”;

- “Although VDOE and [LEA] have stated that IEPs [sic] had not proposed an IEP or IEP addendum, [LEA] has inserted Temporary Learning Plans...into the development of annual IEPs without first receiving parental input, and [LEA] is asking these TLPs be approved, without first discussing the TLPs and without ‘proposing’ a final IEP,” as, more specifically:
 - With regard to **Students A and B**, LEA “inserted the TLP into the annual IEP[s] for [**Students A and B**]...[Parent] requested that it be removed, but it took some pushback for it to be removed. However, draft IEP is still in progress. [LEA] stated that the IEP in progress will start when schools resume full time and that language will be inserted on PLOP to describe services from now until end of year. The current working IEP draft does not contain the TLP language”; and
 - With regard to **Student C**, LEA “has emailed [Parent] a few times, requesting that [Parent] sign off on the TLP, even though 1) it is in [**Student C’s**] IEP; 2) the IEP hasn’t been completed; and 3) [LEA] inserted the verbiage about the TLP with [sic] speaking with [Parent] and ensuring full parent understanding”; and
- LEA has developed Temporary Learning Plans that:
 - demonstrate “large gaps” from Students’ IEPs; and
 - fail to incorporate “[e]videnced[-]based practices ... that align with a distance learning placement as well as being individualized.”

Applicable Regulations:

- The 2006 implementing regulations, at 34 C.F.R. § 300.101, and the Virginia Regulations, at 8 VAC 20-81-100, mandate that all individuals with disabilities, from age 2 to 21 inclusive, residing in Virginia, shall have available a free and appropriate public education (FAPE). Further, the 2006 implementing regulations, at 34 C.F.R. § 300.17, and the Virginia Regulations, at 8 VAC 20-81-10, define FAPE to mean special education and related services that, among other things, are provided in conformity with an IEP that meets applicable regulatory requirements.
- The 2006 implementing regulations, at 34 C.F.R. § 300.323, and the Virginia Regulations, at 8 VAC 20-81-110.B.6, state, in part, that the school division must provide special education and related services to a child with a disability in accordance with the child’s IEP.

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services

Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 7

- The 2006 implementing regulations, at 34 C.F.R. § 300.23, and the Virginia Regulations, at 8 VAC 20-81-10, identify the responsibility of the IEP team for IEP development, review, and revision.
- The Virginia Regulations, at 8 VAC 20-81-110.B.4, vest local school divisions with the responsibility for “initiating and conducting meetings to develop, review, and revise the IEP of a child with a disability.” Further, the Virginia Regulations, at 8 VAC 20-81-110.B.6, set forth the parent’s right to ask for revisions of the child’s IEP.
- The 2006 implementing regulations, at 34 C.F.R. § 300.324, and the Virginia Regulations, at 8 VAC 20-81-110, specify requirements for the development, review, and revision of a student’s IEP.
- The 2006 implementing regulations, at 34 C.F.R. § 300.324(b), and the Virginia Regulations, at 8 VAC 20-81-110.B.5, direct school divisions to ensure that the IEP team reviews the student’s IEP periodically, but not less than annually, to determine whether the annual goals are being achieved, to revise its provisions, as appropriate, to address, among other things, information about the student provided to or by the parents, the student’s anticipated needs, or other matters.
- More specifically, the Virginia Regulations, at 8 VAC 20-81-110.F.1.b, direct the IEP team, within the IEP development, review, and revision process, to consider, among other things, the parent’s concerns for enhancing the student’s education.
- The 2006 implementing regulations, at 34 C.F.R. § 300.503, and the Virginia Regulations, at 8 VAC 20-81-170.C, provide that the school division must provide prior written notice (PWN) to the parent of a child with a disability of its proposal or refusal to initiate or change (i) a student’s identification, evaluation, or educational placement, or (ii) the provision of FAPE for the student. The regulations further set forth the content requirements for this notice, and state that this notice must be provided within a “reasonable time.”¹⁰

¹⁰ The 2006 implementing regulations, at 34 C.F.R. § 300.503(b), and the Virginia Regulations, at 8 VAC 20-81-170.C.2, set forth seven (7) elements that must be included in PWN: (i) a description of the action proposed or refused by the school division; (ii) an explanation of why the school division proposes or refuses to take the action; (iii) a description of any other options the IEP team considered and the reasons for the rejection of those options; (iv) a description of each evaluation procedure, assessment, record, or report the school division used as a basis for the proposed or refused action; (v) a description of any other factors that are relevant to the school division's proposal or refusal; (vi) a statement that the parent(s) of a child with a disability have protection under the procedural safeguards; and (vii) sources for the parent(s) to contact to obtain assistance in understanding the procedural safeguards.

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services

Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 8

OTHER:

Change in placement; continuum of alternative placements. Complainant/Parent has asserted that LEA has implemented “changes in placement” without issuing prior written notice or obtaining parental consent and “has not ensured continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.” Complainant/Parent also alleged that LEA has failed to provide “instructional settings designed to meet the unique needs in the distance learning environment.” Given gubernatorial orders directing the “cessation of all in-person instruction at K-12 schools, public and private, for the remainder of the 2019-2020 school year” and the closure of many businesses and other activities, school divisions are effectively precluded from providing services in the placements/least restrictive environments established for students or making available a continuum of placements (8 VAC 20-81-130.A; B). Accordingly, these particular allegations are without basis and will not be included in the complaint investigation.

Compensatory services. Complainant/Parent has alleged that LEA “has stated that compensatory education ‘should be determined and provided on a case-by-case basis[.]’ and that compensatory services ‘would be determined after normal school operations resume.’” Complainant/Parent stated that “[i]t is assumed that ‘normal school operations’ to quote [LEA] is defined as students attending school in brick and mortar buildings instead of online.” Complainant/Parent asserted: “This will be months in the future. Determining compensatory education at that point means additional months past ‘normal operations’ while IEP Teams meet to determine compensatory education, which will [be] time-intensive given the number of students. All the while, Students will continue to go without FAPE.” This allegation is speculative and premature and will not be included in the complaint investigation

Grades; “measurement.” Complainant/Parent has asserted: “With general education students, [LEA] is measuring work accomplished during temporary learning, [sic] to determine if a student’s grade will be bumped up. Therefore, [LEA] is measuring progress in general education students and is obligated to provide measurements for students in special education programs, to include Students with IEPs.” Issues regarding the grading of student work lie outside the scope of our investigative authority and must be addressed at the local level. Further, the issuance of grades for assignments does not trigger LEA’s obligation to issue progress reports addressing annual goals. This allegation contains insufficient information to the initiation of a special education complaint investigation.

Discrimination; “disparate” impact. Complainant/Parent has alleged that LEA “discriminates against Students based on their disability by depriving them of the services and supports deemed necessary for FAPE in their IEPs while providing educational services to students who are ineligible for Section 504 and/or IDEA protections.” Complainant/Parent cited “disparate impact”

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services
Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 9

on students generally.

Our office has authority only to address issues arising under IDEA and its related federal and state regulations. However, we note that, if Complainant/Parent has concerns regarding disability, racial, or other discrimination, Complainant/Parent may contact the Office for Civil Rights within the United States Department of Education at:

Washington DC (Metro)
Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1475
Telephone: 202-453-6020; FAX: 202-453-6021; TDD: 877-521-2172
Email: OCR.DC@ed.gov

EARLY RESOLUTION REQUIREMENTS:

Our complaint system has an Early Resolution System that supports both parties working cooperatively to resolve this matter prior to the due date for the school division's response without formal investigation by our office. We believe early resolution will benefit both parties and that it is in the best interest of students. Early resolution may include use of the statewide special education mediation system. We have enclosed a brochure for the complainant that describes mediation that is voluntary on the part of both parties. Both parties are asked to keep our office informed of changes in the status of this complaint.

If this complaint is resolved within the 10-day timeline, the school division must furnish a written response, including the following:

1. A record of contacts with the complainant;
2. A statement of the proposed resolution;
3. A signed statement indicating that the complainant has agreed to the resolution and the details of the resolution.

If the complaint is not resolved, the school division must furnish a written response, including all requested documentation in the areas noted below, by the designated due date, as indicated above. The school division must simultaneously provide a copy of the response, along with all submitted documentation, to the complainant if the complaint was filed by the parent or parents of the student, a student who has reached the age of majority, or their attorney. If the complaint was filed by another individual, the school division must provide a copy of the response and documentation to

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services

Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 10

the complainant only if a release signed by the parent or parents or the student who has reached the age of majority has been provided.

For technical assistance in resolving the complaint, please contact your VDOE Regional School Division Technical Assistance Specialist or one of the VDOE Training and Technical Assistance Centers (T/TACs).

INFORMATION/DOCUMENTATION REQUESTED:

- [] A **detailed chronology of events** related to these allegations and any related documentation;
- [] A **narrative statement** regarding each allegation, including a specific statement indicating **whether LEA complied with or violated** regulatory requirements, and any supporting documentation (such as signed teacher statements, email correspondence, and other documents) or related materials outlining LEA’s position regarding each allegation;
- [] A detailed description (and supporting documentation, such as signed statements, advisory materials, etc.) describing the nature of LEA’s temporary learning plan—**specifically, whether a TLP is an IEP addendum or a separate arrangement,** and including an explanation regarding **any notice, consent, or other actions** related to TLPs for the identified Students and systemically;
- [] A copy of any correspondence and records of any other communications between LEA and **Complainant/Parent** and **Parents 1-4** regarding each issue and complaint allegation; and
- [] Any statement, along with any supporting documentation, that LEA deems appropriate for addressing the complaint allegations or, if appropriate, to support the actions taken by LEA in regards to these allegations.

TIMELINES FOR RESPONSE AND ADDITIONAL INFORMATION:

School Division Response Timeline

Both the school division’s response and supporting documentation must be provided by the response due date in order to be considered for review by this office. Should the supporting documentation not be included, our review will rest on the documentation submitted by the response due date.

Please mail or email all documentation to our office, so that it is received by **June 4, 2020**, at the following address(es):

NOTICE OF COMPLAINT—SYSTEMIC VIOLATION

Ms. Teresa Johnson, Assistant Superintendent of Special Services
Ms. Dawn Schaefer, Coordinator of Due Process and Eligibility

----- Complainant/Parent

May 18, 2020

Page 11

Office of Dispute Resolution and Administrative Services
Virginia Department of Education
P. O. Box 2120
Richmond, Virginia 23218

or

ODRAS@doe.virginia.gov

Additional Information that may be submitted by either party

The complainant and the school division may submit *additional information*, either orally, electronically, by facsimile, or in writing, about the allegations in this complaint. This information must be received by the Office of Dispute Resolution and Administrative Services **at ODRAS@doe.virginia.gov or the ODRAS mailing address, above**, no later than **June 18, 2020**.

The parties are instructed to copy all response and additional information submissions to each other. Information and/or materials submitted after this date will not be considered by this office, unless specifically requested by ODRAS for the purposes of clarification.

Attachments - Complaint Resolution Procedures
Mediation Brochure