

LETTER OF FINDINGS

Ms. Teresa Johnson
Ms. Dawn Schaefer

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- On August 16, 2018, Parent indicated via email that Parents would not be available on for the August 21, 2018, reevaluation meeting.
- Although the speech language therapy and occupational therapy concerns were addressed in the October 3 and 17, 2018, IEP meetings respectively, there is no documentation of Parents' further request for a reevaluation meeting for either concern.
- QRI-6 and DSA testing request.
 - On August 1, 2018, Teacher followed up on the proposed QRI-6 testing date, and Parent responded requesting clarification regarding the dates and times for both the QRI-6 and IEP meeting, which Teacher promptly provided.
 - Parent via same-day email confirmed the QRI-6 testing date.
 - On August 10, 2018, Teacher emailed Parents that the QRI-6 and DSA results would be available for the proposed August 29, 2018, IEP meeting. Teacher also in a same-day email to Parents "clarified that the request for the IEP meeting and [Parent's request for] SLI eligibility came before the proposed QRI-6 and DSA administration."¹²
 - On August 13, 2018, Teacher emailed the QRI-6 and DSA results to Parents.
 - According to the record, the IEP team reconvened on October 3, 2018, to review the results of the Quantitative Reading Inventory 6 (QRI-6), the Developmental Spelling Assessment (DSA), and an additional reading inventory.

Commented [AS(5)]: A cautionary note?

Overview and analysis

- Special education regulations give school divisions responsibility for initiating and conducting meetings to develop, review, and revise the IEP of a student with a disability.
 - These regulations also 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 and to revise its provisions, as appropriate, to address (i) any lack of expected progress, (ii) the results of any reevaluation, (iii) information about the student provided by the parent, (iv) the student's anticipated needs, or other matters.
 - Additionally, nothing limits a parent's right to ask for revisions of the student's IEP. The

¹² Accordingly, LEA maintains, "the availability of the results of those evaluations was not related to the requests for IEP and eligibility meetings."

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school division can then either decline to meet and provide the parent a PWN or offer an IEP meeting at a mutually agreeable time and place.

Commented [SA7]: I'm wuagng it here ...

- As the chronology and the above analysis indicate, Student's IEP team met five times on February 23, 2018; April 5, 2018; May 9, 2018; June 8, 2018; and ultimately, June 11, 2018, at which time the IEP team proposed an IEP for Student's 2018-2019 school year.
- On June 19, 2018, Parents shared with LEA that they were exploring other options for Student, who did not intend to return to School for the 2018-2019 school year; then not until July 16, 2018, did Parents requested an IEP meeting, including, in addition to the required LEA members of the IEP team, a request for seven additional LEA members.¹³
 - On July 17, 2018, the record shows that LEA began working on planning the meeting site and the availability of the IEP team members as well as the additional LEA members requested by Parents. This entailed, according to documentation in the record, the emailing of spreadsheets, after a new proposed meeting date, for up to twelve LEA members and choices of five to eight dates to mark availability.
 - Nine days later, on July 26, 2018, LEA proposed a meeting date of August 9, 2018. Eight days later, on August 3, 2018, Parents responded that they would be unavailable on August 9, 2018.
 - Six days later, on August 9, 2018, LEA proposed a second meeting date of August 29, 2018. Thirteen days later, on August 22, 2018, Parents indicated their unavailability on August 29, 2018.
 - Thirteen days later, on September 4, 2018, LEA proposed a third meeting date of September 10, 2018. On the same date, Parents reported their unavailability.
 - Nine days later, on September 14, 2018, LEA proposed September 28, 2018. Ten days later, on September 24, 2018, Parents indicated their unavailability and proposed October 3, 2018, for the meeting. Eventually, the IEP team all met on October 3 and 17, 2018.
- From the above information from the record, we note that LEA proposed four meeting dates and, in doing so, accommodated Parents' request for the attendance of additional team members. Each of the four dates conflicted with Parents' schedules. This, however, does not constitute a "den[ial of] the opportunity to meaningfully participate in the IEP process when [LEA] refused to hold meetings over the summer to address concerns with summer

¹³ At the same time, we note that there were other requests for meetings and testing that LEA staff were attempting to respond to and/or schedule.