

**IDEA WRITTEN ADMINISTRATIVE COMPLAINT
20-21 #34**

Name of the school system:

Sevier County School System (SCSS)

Description of the violation:

SCSS failed to complete a comprehensive child find evaluation.

Description of the law or regulation determined to be violated:

34 C.F.R. §300.301	Initial Evaluations
34 C.F.R. §300.302	Screening for instructional purposes is not evaluation
34 C.F.R. §300.305	Additional requirements for evaluations and reevaluations
34 C.F.R. §300.503	Evaluation procedures
34 C.F.R. §300.504	Procedural safeguards notice
34 C.F.R. §300.9	Consent
34 C.F.R. §300.111	Child Find
TN State Board Rule 0520-01-09-.06(3)	Child Find
TN State Board Rule 0520-01-09-.14	Review and revision of the IEP
TN State Board Rule 0520-01-09-.16	Prior Notice by LEA

SCSS must correct these violations by implementing the following corrective actions:

1. Provide training for all appropriate staff on the aforementioned regulations;
2. Within ten (10) days of completion of training, provide the department with the agenda, content, and sign-in sheets of participants as documentation of appropriate training content and appropriate staff participation;
3. Within 10 school days after receipt of this letter, SCSS must convene an appropriately staffed IEP team, including Complainant, in order to:
 - a) Review any supporting documentation from Complainant regarding Student's suspected disability;
 - b) Determine if the district will pursue a comprehensive evaluation of Student and obtain appropriate parental consent for testing and explain procedural safeguards; or
 - c) If the district does not agree that Student is suspected of a disability, it must provide a PWN to Complainants of the refusal to evaluate. The notice must include the basis for the determination and an explanation of the process followed to reach that decision;
4. If the team determines to evaluate Student and Student is found:
 - a. not eligible for services: complete a not-eligible report and provide Complainant with a detailed PWN supporting the decision; or
 - b. eligible for services: complete an eligibility report and PWN, and develop an IEP which meets Student's needs and provides a free and appropriate public education (FAPE); and
 - c. If Student is found eligible for services, the IEP team must determine any need for compensatory education or services owed to Student;
5. Within ten (10) days after any team meetings, provide documentation to the Department of all team decisions required under steps #3 and #4; and

6. If compensatory services are ultimately determined and agreed upon, SCSS must, within ten (10) days of completion of all required compensatory services, send to the department final signed documentation verifying completion.

Final determination of the department: The department will monitor and document SCSS compliance with corrective measures ordered.