

Colorado Department of Education  
Decision of the State Complaints Officer  
Under the Individuals with Disabilities Education Act (IDEA)

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**State-Level Complaint 2013: 513**  
**Gunnison Watershed School District, RE1-J**

**DECISION**

**INTRODUCTION**

This state-level complaint (Complaint) was filed on November 21, 2013, by the parent of a child identified as a child with a disability under the Individuals with Disabilities Education Act (IDEA).<sup>1</sup>

Based on the written Complaint and a telephone interview with Parent on November 21, 2013, the State Complaints Officer (SCO) determined that the Complaint identified one allegation subject to the jurisdiction of the state-level complaint process under the IDEA and its implementing regulations at 34 CFR §§ 300.151 through 300.153.<sup>2</sup> The SCO has jurisdiction to resolve the Complaint pursuant to these regulations.

**PARENT'S COMPLAINT ALLEGATION**

Parent's Complaint raised one allegation, summarized as follows:

1. Since August 28, 2013, Student has been denied a free appropriate public education because the IEP dated November 2012 has not been properly implemented. Specifically:
  - a. Student has not received proper reading instruction, resulting in a failure to make progress on his reading goal;
  - b. Student's progress on his reading goal has not been properly monitored; and
  - c. Student has not received the accommodations listed on his IEP designed to address his difficulty with writing.

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<sup>1</sup> The IDEA is codified at 20 U.S.C. § 1400, *et seq.* The corresponding IDEA regulations are found at 34 CFR § 300.1, *et seq.*

<sup>2</sup> Hereafter, only the IDEA regulation and any corresponding Exceptional Children's Educational Act (ECEA) rule will be cited (e.g., § 300.000, Section 300.000 or Rule 1.00).

**Summary of Proposed Remedies:** To resolve the Complaint, Parent proposed that Student receive specialized instruction by qualified tutors in reading and by an occupational therapist for writing; that Student have access to electronic devices, audio materials, and Orton-Gillingham programs and applications; and that Student be provided with keyboard training designed to address needs related to dyslexia. Parent also proposed that she receive Orton-Gillingham training to support Student's educational needs.

### **SUMMARY OF THE DISTRICT'S RESPONSE**

The District denied the general allegation that it has failed to implement Student's IEP, and provided documentation in support of its position. Concerning the specific allegations that it has not provided proper reading instruction, the District asserted that Student has been provided with reading instruction in accordance with the IEP and that Student has made meaningful progress on IEP goals related to reading. In support of its assertion, the District provided progress monitoring data and assessment results. The District also noted that Student had been absent for approximately 20% of available instruction days, and that this factor should be considered in evaluating progress.

Concerning the specific allegation that the District has not provided accommodations related to writing, the District asserted that it allowed Student to access and use electronic devices, in accordance with his IEP, but that the IEP did not require that the District provide Student with an electronic reader or iPad.

### **SUMMARY OF PARENT'S REPLY**

In response to the District's assertion that poor attendance impacted Student's performance, Parent argued that the absences were excused and should not be considered in determining whether the District provided Student with an appropriate education. In addition, Parent argued that Student was being taught without guidance or direction because the only assessment of Student's reading level was conducted during the second week of November 2012.

### **FINDINGS OF FACT**

After thorough and careful analysis of the entire record,<sup>3</sup> the SCO makes the following FINDINGS:

1. At all times relevant to the Complaint, Student was [age] years of age, lived with Parents within the boundaries of the District and attended School on a full-time basis.<sup>4</sup> Student is eligible for special education and related services as a child with a specific learning disability.<sup>5</sup>

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<sup>3</sup> The appendix, attached and incorporated by reference, details the entire record.

## **Reading Instruction: IEP implementation and progress.**

2. Parent does not dispute the appropriateness of Student's November 2012 IEP, i.e., that it is reasonably calculated to allow him to receive some educational benefit. Rather, Parent alleges only that the District has not properly implemented Student's November 2012 IEP with regard to reading instruction, and that this failure has resulted in Student not making progress in reading.<sup>6</sup> The SCO does not agree.

3. Student has been identified as having a specific learning disability and "is significantly delayed in all academic areas that involve reading."<sup>7</sup> A significant and persistent source of conflict between Parent and School has been selection of the category used to identify Student's disability. Parent has requested that the District replace the term "specific learning disability" with dyslexia as Student's primary disability category on Student's IEP.<sup>8</sup> While the District agrees with Parent that Student exhibits several common characteristics of dyslexia, such as difficulties in phonological awareness, basic decoding skills, fluency, spelling, and comprehension, it has refused to identify Student's eligibility category as dyslexia because dyslexia is recognized as a condition included within the eligibility category of specific learning disability, and is not a stand-alone eligibility category.<sup>9</sup> Because dyslexia is not an eligibility category, Student is properly identified as having a specific learning disability under ECEA Rule 2.08(a).

4. Student's identified needs in the area of reading include basic decoding skills, fluency, and comprehension. In describing Student's lack of basic decoding skills, the IEP team noted that Student "does not hear or see patterns in words, nor is he able to remember sound/symbol relations long enough to sound out and segment them into meaningful words or syllables." These difficulties limit Student's ability to read and to access grade-level curriculum without instructional support and accommodations. And although Student has improved in reading, "confusion of letters, remembering sounds and the orientation of letters, along with the ability to perform pencil to paper tasks is still difficult."<sup>10</sup>

5. Consistent with Student's identified needs in reading, the November 2012 IEP required specialized instruction in reading for one hour per day that would be provided by a special

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<sup>4</sup> Exhibits 2, 12 and 16; Interviews with Parent and Special Education Director. Parent withdrew Student from School effective December 2, 2013. Student's last day of attendance was November 21, 2013. Exhibit 16; Exhibit 11; Interviews with Special Education Director and Parent.

<sup>5</sup> Exhibit 2, p. 1.

<sup>6</sup> Complaint.

<sup>7</sup> Exhibit 2, p. 3.

<sup>8</sup> Interviews with Special Education Director and Parent.

<sup>9</sup> Complaint; Response; Reply; Exhibit 2; Interviews with Parent, and Special Education Director.

<sup>10</sup> Exhibit 2, p. 3.

education teacher outside the general education classroom.<sup>11</sup> To satisfy this IEP requirement, Student attended an “English Intervention Class” taught by a special education teacher that provided five hours of direct specialized instruction each week.<sup>12</sup> The English Intervention Class was taught by Substitute Teacher and Special Education Teacher, and consisted of 6 other students with reading skills at the same grade-level as Student.<sup>13</sup>

6. Parent essentially complains that the English Intervention class was not consistent with the requirements of Student’s IEP because Student was not receiving individualized instruction that utilized a specific reading methodology, i.e., Lindamood-Bell or Orton-Gillingham.<sup>14</sup> While Student’s IEP team noted that Student “requires consistent repetition and practice in sound/symbol relationships,” i.e., phonics, “that are delivered in a systematic/sequential manner,” it did not describe or require a specific reading methodology or program.<sup>15</sup>

7. Because Student’s IEP did not require a specific methodology, the SCO considers whether the reading instruction was consistent with the IEP’s requirements and thus provided a free appropriate public education (FAPE). First, the SCO finds that the instruction was consistent with the IEP in that it met Student’s identified needs in basic decoding skills (phonics), fluency, and comprehension. Overall, the instruction provided in the English intervention class addressed the five components of reading: phonemic awareness, phonics, fluency, vocabulary, and comprehension in a sequential and systematic manner.<sup>16</sup> For example, vocabulary lists and comprehension exercises accompanied every reading assignment. Instruction also included strategies for improving reading comprehension, such as monitoring understanding and engaging with the text. These comprehension strategies were taught in logical steps or sequences that involved introducing and explaining the strategy, modeling it, and then having Student practice.<sup>17</sup>

8. Consistent with the IEP’s requirement that instruction in reading include consistent repetition and practice in phonics, the English Intervention Class provided direct instruction and daily exercises in fluency, phonics (sound-symbol relationship), and phonemic awareness, i.e.,

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<sup>11</sup> Exhibit 2, pp. 9 and 26. Student’s November 2012 IEP was amended on May 29, 2013. Exhibit 2, p. 20. Because this Complaint concerns allegations beginning on August 28, 2013, any relevant IEP requirement, goal, or provision referenced in this decision will reflect the May 2013 amendment.

<sup>12</sup> Response, pp. 2-3.

<sup>13</sup> Interviews with Special Education Teacher, Substitute Special Education Teacher, and Special Education Director. The SCO does not agree with Parent that Student was not appropriately placed in a class because the District relied on assessment data from Spring 2013. There is no dispute that Student reads at a third-grade level and the other students in this class also read at a third-grade level.

<sup>14</sup> Complaint, pp. 4-5. Both Lindamood-Bell and Orton-Gillingham are intensive and highly-structured reading instructional methods that focus heavily on phonemic awareness. Special Ed Connection Dictionary available at <http://www.specialedconnection.com/LrpSecStoryTool/dictionary.jsp>.

<sup>15</sup> Exhibit 2, p. 10.

<sup>16</sup> Interviews with Special Education Teacher, Substitute Teacher, and Special Education Director.

<sup>17</sup> Interviews with Special Education Teacher, Substitute Teacher, and Special Education Director.

ability to hear speech sounds and understand that spoken words are made up of sounds.<sup>18</sup> For example, the class regularly included activities where Student would be required to practice reading out loud, such as having students act-out scripts or read passages to each other. Phonics activities included having Student organize cut-outs of parts of words or letters based on sound, practice sounding out words and associating sound with symbol, and practice in blending and segmenting speech sounds.<sup>19</sup> Based on the activities and instruction described by Substitute Teacher and Special Education Teacher, the SCO finds that the instruction met the requirements of the IEP.

9. In evaluating the appropriateness of the instruction Student received in reading, the SCO also considers Parent's allegation that Student has not made progress in reading. Consistent with demonstrated academic needs, Student had two IEP goals in the area of reading. Student's first IEP goal addressed fluency, specifically stating: Student "will increase fluency from 42 words per minute [wpm] on a 2<sup>nd</sup> grade probe to 83 wpm on a 3<sup>rd</sup> grade probe" by November 2013.<sup>20</sup> Throughout the year, Student showed progress, albeit inconsistent, towards this goal and met it on November 21, 2013, by achieving 86 wpm on a 3<sup>rd</sup> grade probe.<sup>21</sup>

10. Student's second IEP goal addressed reading comprehension, stating that Student "will increase comprehension from 6 correct responses with 4 errors on a 1<sup>st</sup> grade probe to 8 correct responses on a 3<sup>rd</sup> grade probe" by November 2013.<sup>22</sup> Although Student met this goal on March 6, 2013, and May 16, 2013, progress monitoring in November 2013 demonstrated insufficient progress.<sup>23</sup>

11. A showing of insufficient progress on one IEP goal, however, does not necessarily mean that the lack of progress was the result of inappropriate instruction in reading. In this case, evaluating Student's progress in reading is complicated by two factors: the short period of time during which Student's progress in reading is at issue, and Student's poor attendance.

12. Parent's allegation that Student has not made progress in reading due to inappropriate instruction concerns a thirteen week period, as measured from the beginning of school on August 28, 2013, until Student's last day of attendance at school on November 22, 2013. During this short period, Student was also transitioning to middle school, a transition that is

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<sup>18</sup> Without exercises in phonemic awareness, phonics makes little sense. Interviews with Special Education Teacher, Substitute Teacher, and Special Education Director.

<sup>19</sup> Interviews with Special Education Teacher, Substitute Teacher, and Special Education Director.

<sup>20</sup> Exhibit 2, p. 5.

<sup>21</sup> Exhibit 9, p. 1. Due to Student's anxiety about reading, Special Education Teacher opined that he is difficult to assess and does show inconsistencies. The SCO finds Special Education Teacher's opinion credible as Student showed this same kind of inconsistency the previous school year. For example, during the third quarter this IEP goal was measured, Student's performance measured 71 wpm on 4/17/13 and 58 wpm on 5/15/13.

<sup>22</sup> Exhibit 2, p. 5.

<sup>23</sup> Interview with Special Education Teacher.

challenging for many students.<sup>24</sup> Further, Student has shown slight regression in reading each fall, even though he has made modest and steady progress in reading over the two previous school years.<sup>25</sup> For these reasons, the SCO cannot be confident that any failure to show sufficient progress in reading comprehension is the result of inappropriate instruction.

13. Student's poor attendance during this thirteen week period further complicates an evaluation of progress. From August 28 to November 22, 2013, Student missed eleven full days and two partial days of school out of an available 59, resulting in a loss of approximately 20% of available instructional time.<sup>26</sup> Special Education Teacher, Substitute Teacher, and Science Teacher, all stated that Student's absenteeism negatively impacted his performance in class. For example, Student would be anxious and frustrated when he returned to School after an absence because he had missed important content and had difficulty making up assignments. This anxiety and frustration also made it more difficult for Student to pay attention and participate in class, causing Student to shut-down at times.<sup>27</sup> Consequently, the SCO finds that it is just as likely that any failure to make progress in reading comprehension is the result of missed instruction and the accompanying anxiety rather than inappropriate instruction.

14. Parent also complains, however, that the District has not properly monitored and reported Student's progress in reading. The SCO agrees. According to Student's IEP, reports concerning Student's progress on IEP goals were to be issued at the time of report cards, parent conferences, and at the yearly review of the IEP.<sup>28</sup> Because Student's annual IEP was held on October 28, 2013, Student's progress on the November 2012 IEP goals should have been provided to Parent at this meeting.<sup>29</sup> While the District reported benchmark data on Student's IEP goals using a sixth-grade probe at the IEP meeting, progress on Student's IEP goals was not monitored until November 4, 2013.<sup>30</sup> Parent received a report concerning Student's progress in reading via email during the first full week of November.<sup>31</sup>

15. Accordingly, the SCO finds that the District did not monitor and report progress on IEP goals in accordance with Student's IEP. And because information concerning Student's progress towards IEP goals is a required consideration for the revision and development of Student's annual IEP, the SCO finds that the failure to monitor and report Student's progress on IEP goals at the IEP meeting on October 28, 2013, also violated procedures concerning the development, revision, and review of an IEP at 34 CFR § 300.324 (b)(2)(A). The SCO also finds that this violation was likely due to unique circumstances surrounding Special Education Teacher's leave of absence during the fall semester and is not systemic in nature.

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<sup>24</sup> Interview with Special Education Director.

<sup>25</sup> Exhibit 10, page 10.

<sup>26</sup> Exhibit 11; Response; Reply; District calendar; Interviews with Special Education Teacher, Substitute Teacher, and Science Teacher.

<sup>27</sup> Interviews with Special Education Teacher, Science Teacher, and Special Education Director.

<sup>28</sup> Exhibit 2, p. 7.

<sup>29</sup> Interview with Special Education Director; District calendar.

<sup>30</sup> Exhibit 10, pp. 12-16; Interviews with Parent and Special Education Director.

<sup>31</sup> Complaint, p. 6; Interviews with Parent, Special Education Teacher, and Special Education Director.

16. Although the District failed to provide progress reports in accordance with Student's IEP, the SCO finds that this violation did not result in educational harm to Student. First, Parent was informed of Student's progress in all of his classes, including English Intervention (reading class) on a weekly basis. Throughout the week, Special Education Teacher or Substitute Teacher would collect information about Student's classroom performance/assignments from Student's academic core teachers and send to Parent via email every Friday. Second, there is no evidence that Student or Parent has been harmed by the District's failure to timely provide this information. Finally, Parent has not alleged that the IEP developed on October 28, 2013, was not appropriate.

### **Writing Accommodations**

17. Parent also complains that the District has not provided the accommodations listed on Student's IEP designed to address his difficulty with writing. Specifically, Parent asserts that the District has not provided Student with an electronic device, such as an iPad or large-screen electronic reader.<sup>32</sup> The SCO does not agree.

18. In addition to reading, Student has difficulty performing pencil to paper writing tasks. As a result, Student requires support and accommodations when transferring thought to paper, copying math problems and other academic content from board to paper, and copying from book to paper.<sup>33</sup> Accordingly, Student's November 2012 IEP, as amended, listed the following writing-related accommodations:<sup>34</sup>

- Limit note taking or copying from board and provide syllabus for him to highlight;
- Divide assignments into steps or reduce amount of written tasks or problems;
- Do not grade based on writing mechanics or spelling and allow corrections to improve grade; and
- Allow tape recorder for lectures, provide books on tape (when available), and allow electronic devices.

19. Student has been provided writing-related accommodations consistent with his IEP in classes that involve writing, such as English intervention, math, and science. For example, Student has access to an educational assistant in math and science class who is available to scribe for Student on lengthy written lab assignments or math problems. In addition, Student is provided with teacher-produced or fill-in-the-blank lecture notes so that Student does not have to copy content from board to paper or lecture to paper to take notes in class.<sup>35</sup> And Student

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<sup>32</sup> Complaint, p. 5.

<sup>33</sup> Exhibit 2, p. 3.

<sup>34</sup> Exhibit 2, p. 25. Student's IEP was amended on May 24, 2013.

<sup>35</sup> Exhibit 3, p.2; Interviews with Science Teacher and Special Education Teacher.

completes writing assignments in English intervention on a computer, rather than on paper. Finally, Student's IEP simply does not require the District to provide Student with an iPad or other electronic device. Consequently, the SCO finds that Student has been provided with the accommodations listed on his November 2012 IEP.

### **CONCLUSIONS OF LAW**

Based on the Findings of Fact (FF) above, the SCO enters the following CONCLUSIONS OF LAW:

**Allegation 1: The District has properly implemented Student's IEP, but failed to provide periodic progress reports in accordance with Student's IEP.**

1. Under IDEA, local education agencies are required to provide eligible students with disabilities with a free appropriate public education (FAPE) by providing special education and related services individually tailored to meet the student's unique needs and provided in conformity with an individualized education program developed according to the Act's requirements. 20 U.S.C. § 1401(9); 34 C.F.R. § 300.17; ECEA Rule 2.19. Where the definition of FAPE specifically references the provision of special education and related services consistent with an IEP, a failure to implement an IEP can result in a denial of FAPE. *Id.*
2. First, Parent alleged that the District failed to implement Student's IEP with regard to reading instruction, and that Student failed to make progress in reading as a result. Essentially, Parent alleged that the District failed to provide the specialized reading instruction required by Student's IEP because instruction provided by Special Education Teacher and Substitute Teacher through the English Intervention class did not use a specific reading methodology, i.e., Lindamood-Bell or Orton-Gillingham. The law is clear, however, that as long as the educational methodology selected by the school district provides a free appropriate public education, i.e., allows the student to receive educational benefit, educational agencies have the professional discretion to select the methodology suitable to the student's needs. *O'Toole v. Olathe District School District No. 233*, 144 F.3d 692 (10<sup>th</sup> Cir. 1998). The methodology selected by the school district does not have to be the best, or even better than that preferred by the parents, so long as it is appropriate to implement the IEP. *M.M. v. School Bd. of Miami-Dade Cty*, 437 F.3d 1085 (11th Cir. 2006).
3. Here, the SCO found that the reading instruction provided to Student was consistent with the requirements of the IEP, because it was appropriately designed to meet Student's specific reading-related needs, such as phonics, fluency, and comprehension. Progress on Student's IEP goals in reading indicated that Student met his goal in fluency, but showed insufficient progress in comprehension. In evaluating Student's progress as evidence of the appropriateness of the instruction, however, the SCO noted that such an evaluation was complicated in this case by the short period of time at issue and Student's poor attendance.

4. In this case, Parent alleged that inappropriate instruction resulted in Student failing to make progress in reading from the beginning of the 2013 school year to mid-November, a period of approximately thirteen weeks. Because an IEP goal is an annual goal, i.e., a measurable statement of where the student's IEP team expects him or her to be performing within a year's time, it is problematic to consider performance on an IEP goal during a thirteen week period as evidence of inappropriate instruction. Other factors also likely contributed to Student's performance during this brief period. For example, Student typically regresses in reading during the fall, a dynamic which may explain insufficient progress. In addition, Student was transitioning from elementary to middle school, a transition that is difficult for many students.

5. More importantly, Student also missed approximately 20% of instructional time during this thirteen week period. Student's teachers stated that this lack of attendance negatively impacted Student's ability to participate in class because he had missed important content and became anxious and frustrated by falling behind. Because Student had missed approximately 20% of instructional time during a thirteen week period, the SCO concluded that it was not possible to determine whether insufficient progress in reading comprehension was the result of inappropriate rather than missed instruction. Consequently, the SCO concludes that the District properly implemented Student's IEP with regard to reading instruction.

6. While the District has provided appropriate reading instruction, it failed to monitor and report Student's progress in accordance with the IEP. An IEP must include a description of when periodic reports on the progress a student is making towards his IEP goals will be provided to parents. 34 CFR § 300.320(a)(3)(ii). Student's IEP stated that Parent would be provided with a progress report at the time report cards were issued, parent-teacher conferences, and at the annual IEP meeting. Here, Student's annual IEP meeting was held on October 28, 2013, but progress on his IEP goals was not measured or reported to Parent until the first week of November, 2013. Because information concerning progress towards annual IEP goals is a required consideration in the development, review and revision of an IEP, the SCO concluded that the District violated 34 CFR § 300.324(b)(1)(ii)(A) by failing to provide this information at the IEP meeting. Although the District violated this provision, the violation is not systemic in nature and did not result in educational harm to Student.

7. Finally, Parent alleged that the District failed to implement accommodations related to Student's difficulty in writing, specifically the provision of an iPad or large-screen electronic reader. Contrary to Parent's allegation, the SCO found that Student's IEP did not require the provision of an iPad. Further, Student was provided with the accommodations listed on his IEP that related to writing. For example, an aide was available in all of Student's core classes to scribe lengthy notes and assignments, and Student was provided with teacher-produced lecture notes and a computer to complete lengthy written assignments, as appropriate. Accordingly, the SCO concludes that Student has been provided with the accommodations required by the IEP.

## REMEDIES

The SCO has concluded that the District violated the following IDEA requirements:

- a) Failing to provide information about progress toward IEP goals at annual IEP meeting, as consistent with Student's IEP and 34 CFR § 300.324(b)(1)(ii)(A).

To remedy this violation, the District is ordered to take the following actions:

- 1) **By February 5, 2014**, the District must submit to the Department a proposed corrective action plan (CAP) that addresses the violation noted in this Decision. The CAP must effectively address how the cited noncompliance will be corrected so as not to recur as to Student and all other students with disabilities for whom the District is responsible. The CAP must, at a minimum, provide for the following:
  - a) Submission of compliant, written policies and procedures and, as applicable, compliant forms that address the cited violation, no later than **February 12, 2014**.
  - b) Effective training must be conducted for all special education teachers within the school concerning the policies and procedures, to be provided no later than **February 28, 2014**.
  - c) Evidence that such training has occurred must be documented (i.e., training schedule(s), agenda(s), curriculum/training materials, and legible attendee sign-in sheets) and provided to CDE no later than March 7, 2014.

The Department will approve or request revisions to the CAP. Subsequent to approval of the CAP, the Department will arrange to conduct verification activities to verify the District's timely correction of the areas of noncompliance. At the request of the District, CDE is willing and able to provide the training specified above. Should the District choose to request training from CDE, it must coordinate any such training with Joyce Thiessen-Barrett.

Please submit the documentation detailed above to the Department as follows:

Colorado Department of Education  
Exceptional Student Services Unit  
Attn.: Joyce Thiessen-Barrett  
1560 Broadway, Suite 1175  
Denver, CO 80202-5149

**NOTE:** Failure by the District to meet any of the timelines set forth above will adversely affect the District's annual determination under the IDEA and subject the District to enforcement action by the Department.

## CONCLUSION

The Decision of the SCO is final and is not subject to appeal. If either party disagrees with this Decision, their remedy is to file a Due Process Complaint, provided that the aggrieved party has the right to file a Due Process Complaint on the issue with which the party disagrees. See, 34 CFR § 300.507(a) and Analysis of Comments and Changes to the 2006 Part B Regulations, 71 Fed. Reg. 156, 46607 (August 14, 2006).

This Decision shall become final as dated by the signature of the undersigned State Complaints Officer.

Dated this 16<sup>th</sup> day of January, 2014.

*Candace Hawkins*

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Candace Hawkins, Esq.  
State Complaints Officer

## **Appendix**

### **Complaint, pages 1-9.**

Exhibit A: November 2012 IEP.

Exhibit B: October 2013 IEP, marked draft.

Exhibit C: email correspondence between Parent and Special Education Teacher.

### **Reply, pages 1-8.**

#### **Response, pages 1-7.**

Exhibit 1: October 2013 IEP.

Exhibit 2: November 2012 IEP, including amendment dated May 2012.

Exhibit 3: Statements from Student's teachers regarding accommodations provided.

Exhibit 4: Progress and performance report for the 2012-2013 school year.

Exhibit 5: First quarter grade report for the 2013-2014 school year.

Exhibit 6: Class schedule for the 2013-2014 school year.

Exhibit 7: Second quarter grade report for the 2013-2014 school year.

Exhibit 8: IEP progress reports for the 2012-2013 school year.

Exhibit 9: IEP progress reports for the 2013-2014 school year.

Exhibit 10: Assessment data.

Exhibit 11: Attendance record for the 2013-2014 school year.

Exhibit 12: Attendance record for the 2012-2013 school year.

Exhibit 13: Contact information for District staff.

Exhibit 14: Service summary prepared by OT.

Exhibits 15-16: Correspondence between District and Parent.

Exhibit 17: Transfer summary.

#### **Interviews with:**

- Special Education Director
- Special Education Teacher
- Substitute Special Education Teacher
- Science Teacher
- Parent