

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

State-Level Complaint 2016:524
Thompson School District R2-J
DECISION

INTRODUCTION

This state-level complaint (Complaint) was properly filed on October 7, 2016, by Mother (“Parent”) of a child (“Student”) identified as a child with a disability under the Individuals with Disabilities Education Act (IDEA).¹

Based on the written Complaint and subsequent conversation, a State Complaints Officer (SCO) determined that the Complaint identified four allegations subject to the jurisdiction of the state-level complaint process under the IDEA and its implementing regulations at 34 CFR §§ 300.151 through 300.153.² The SCO has jurisdiction to resolve the Complaint pursuant to these allegations.

COMPLAINT ALLEGATIONS

1. Whether the School District has violated Parents’ rights and denied Student a free appropriate public education (FAPE) since on or about September 2016 by:
 - a. Denying Mother meaningful opportunity to participate in the development of Student’s Individualized Education Program (IEP), specifically, Mother’s requests to meet to discuss Student’s IEP;
 - b. Failing to develop, review or revise Student’s IEP according to Student’s individual needs;
 - c. Failing to educate Student in the least restrictive environment (LRE); and
 - d. Failing to implement and comply with Student’s IEP.

¹ 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.

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

FINDINGS OF FACT

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

Background

1. At the time this Complaint was filed Student resided with Parent within the District's boundaries. Student was initially identified as eligible for special education and related services in December 2009, as a student with a speech language disability.
2. Over the past several years, Student demonstrated significant and challenging behaviors and had difficulty accessing his education due to his significant social/emotional needs.⁴ His behaviors included but were not limited to substance abuse, suicidal ideations, threats, excessive sleeping, non-compliance with school rules, refusal to work, and walking off school grounds when not permitted to do so.⁵ In addition, during this time period, Student picked up a number of delinquency charges⁶ and the Department of Social Services became involved to offer additional support and services. He also has a complex mental health profile including a diagnosis of Unspecified Mood Disorder, Rule Out Bipolar Disorder, ADHD, Reactive Attachment Disorder, Conduct Disorder (socialized aggressive type), Alcohol/Polysubstance Abuse, and Personality Disorder with Borderline Schizophrenia.
3. At the beginning of the 2015-2016 school year, Student was being educated in Day Treatment Program, where Student had been in attendance since March 2015. Student had been placed there by the Department of Social Services. In September 2015, Parent notified Special Education Coordinator ("Coordinator") that she had concerns that Student's needs were not being met by the Day Treatment Program. Coordinator and Parent agreed that Student's IEP⁷ did not address Student's intensive social/emotional and behavioral needs, and that a reevaluation was necessary and appropriate. While the reevaluation was conducted, Parent and the Coordinator agreed that Student would attend District's separate school program ("DSSP").⁸

³ The appendix, attached and incorporated by reference, details the entire record before this SCO.

⁴ Interviews with Guardian *ad Litem* (GAL), Parent and Special Education Coordinator ("Coordinator")

⁵ Interview GAL, Parent, Coordinator and Teacher

⁶ As a result of these charges, the County Social Services was involved with the family to provide support and services.

⁷ IEP dated May 26, 2015 conducted and finalized while Student attended Day Treatment Program. Student continued to be identified with a Specific Learning Disability.

⁸ Interview Parent, Coordinator, Exhibit F-1

4. Throughout the reevaluation process, Student continued to exhibit challenging behaviors including leaving school property, excessive sleeping, suspected drug use, avoidance behaviors, work refusal, etc. Additionally, Student was detained for approximately three weeks of the reevaluation process. Despite these challenges, District staff completed the evaluations and the IEP meeting was held and finalized on November 5, 2015, resulting in the IEP changing Student's primary disability to Significant Emotional Disability with a secondary disability of Specific Learning Disability.⁹

November IEP 2015

5. The November 2015 IEP documents Student's Area of Need and Impact of Disability as:

[Student]'s disability impacts him in numerous ways. Social stress impacts him significantly. Life skills are low. Because of his social/emotional needs, academics are beginning to suffer more, [Student] is falling farther and farther behind in his skills because he is unable to manage getting to school or maintaining attendance in the classroom to receive instruction. His processing speed and fluency speeds are significantly lower. [Student]'s comprehension of abstract information is much lower than his understanding of real life events. Also his receptive language skills are low, making taking in information difficult. He has difficulty following conversations. He checks in and out of activities and therefore loses his place and doesn't know what is going on. He gets frustrated and overwhelmed and will shut down or leave the academic environment to avoid. Speech/Language: [Student] needs to improve his ability to listen to and process language presented in an auditory manner including vocabulary development as difficulties in these skills significantly impact his performance in academic tasks."

6. The IEP describes Student's social/emotional and behavioral difficulties as areas of need that have a significant impact on Student's ability to access his educational program. Yet, there is little in the IEP itself that addresses those needs.
7. The IEP documents one goal addressing "listening skills" with three corresponding objectives. There were no goals in the areas of social/emotional functioning or behavior.
8. The IEP includes accommodations including "checks for understanding, shortened and chunked information, pair visual and tactile with auditory information whenever possible, extra time (time and a half), allow to take

⁹ Exhibit A2

reasonable breaks in a designated area, and allow for edits and rewrites/corrections on assignments/tests.” There were no accommodations or modifications related to social/emotional or behavioral needs, and there was no Behavior Intervention Plan developed.

9. The IEP’s service delivery statement provides as follows:

“[Student] will receive all academic instruction in the self-contained affective needs program due to the significantly increased level of support/structure needed to meet his social/emotional needs as well as his academic needs. [Student] will also participate in small group, large group and individual therapeutic services as required by schedule and additionally as needed. Additionally, it provides that he will receive speech/language services within and/or outside the general education setting in individual or small group settings. By an SLP or an SLP-A, supervised by and working under the license of the SLP.”

10. Absent from this statement, however, are any criteria to guide the teacher as to when small group v. large group would be warranted, or as to the frequency, type, or duration of therapeutic services. And while the service delivery grid delineates 27.5 hours per week of direct services from an affective needs teacher, there are no social/emotional or behavioral goals setting out the instruction or areas that the affective needs teacher will work on.

11. Following the November 2015 IEP meeting, Student remained in the DSSP program, and he continued to struggle in the DSSP academic setting. Approximately four months later (during which Student had an additional 9 day detention in a detention facility), Coordinator and IEP Team agreed that Student would benefit from attending Facility School #1 which provided additional supports and a lower student to teacher ratio.¹⁰ Student enrolled and began attending Facility School #1 approximately one month later.¹¹ Student was there for almost two weeks before he was detained again.

12. In addition to the educational settings determined by District over the course of the 2015-2016 school year, Student’s time in other educational settings as a result of his delinquency matters is as set out below:

- a. Day Treatment Facility (3/12/2015 - 9/18/2015)
- b. District’s Separate School Program (9/21/2015 - 10/1/2015)
- c. Detention Facility (10/2/2015 - 10/22/2015)
- d. District’s Separate School Program (10/26/2015 - 12/7/2015)

¹⁰ Interview Parent and Coordinator

¹¹ Parent kept Student out of school from the date the “team” decided to change programs to the date he was able to enroll in Facility School #1 which was approximately one month.

- e. Detention Facility (12/8/2015 - 12/17/2015)
- f. District's Separate School Program (12/18/2015 - 2/19/2016)
- g. Facility School #1 (2/22/2016 - 3/4/2016)
- h. Detention Facility (3/4/2016 - 4/15/2016)
- i. Mental Health Hospital (4/15/2016 - 9/2/2016)
- j. Detention Facility (9/2/2016 - 9/29/2016)
- k. Facility School #2 (9/30/2016 - 10/19/2016)
- l. Detention School (10/19/2016 - ?)

September 2016 Through Present

13. As noted above, due to delinquency matters not relevant to this Complaint, Student left the District beginning March 4, 2016 and did not return until the following school year. During this time period, Student was either detained in Detention Center or committed to Mental Health Hospital.

14. On September 12, 2016, Parent notified Coordinator that Student was to be released from detention to return to the District, and requested that the District inquire into the possibility of Student returning to Facility School #1. Time was of the essence in locating an appropriate placement for Student, because he would not be released from detention until a school setting was identified.

15. That same day Coordinator indicated that she would "get right on placement." Coordinator contacted Facility School #1¹² and two other similar school settings to ascertain availability, but never contacted the Detention School or the Mental Health Hospital to get updated records and progress reports despite Student having spent a significant amount of time in these settings.¹³ Upon learning that Facility School #1 was not an option for Student, the District staff did not locate a school for Student. Rather, Student's caseworker from the Department of Human Services ("Caseworker") identified Facility School #2 as an option so that Student could be released from detention and have a school to go to. Parent, School, and the other IEP team members agreed upon Student enrolling and attending Facility School #2.¹⁴ Student began attending Facility School #2 on September 30, 2016.¹⁵

16. Upon review of the e-mail exchange, it is clear that at least in the e-mails beginning September 22, 2016, Parent made Coordinator aware that she had updated information on Student, she had concerns regarding Student's

¹² Facility School #1 refused to readmit Student in their program due to Student's age and lack of buy-in.

¹³ Exhibit G, pg 8 and 9, Interviews with Coordinator, Detention School Staff and Mental Health Staff

¹⁴ Facility School #2 was identified by Caseworker as a solution to get Student released from detention.

¹⁵ The SCO notes that District provided a Prior Written Notice ("PWN") On October 19, 2016, almost three weeks after Student began attending school. The SCO did not investigate whether this change in academic setting amounted to a change in placement necessitating a PWN prior to placement.

educational setting and she wanted to discuss these prior to placement. While Coordinator ultimately attempted to schedule a meeting the same day Student was to enroll in Facility School #2, it is clear that the meeting was not with the intent to have a meaningful discussion around needs, services and placement. In fact when Coordinator had to cancel due to a health issue, she e-mailed Parent saying she "thought the meeting was a brief one."¹⁶

17. There is also no evidence that in agreeing to place Student in Facility School #2 upon being released from detention, the District undertook steps to determine either a) whether Facility School #2 (or any other school) met Student's current needs, or, b) more fundamentally, what Student's current needs were and whether the November 2015 IEP - which did not include specific social/emotional or behavioral goals or any clear explanation of the type of special education services Student was to receive for his social/emotional and behavioral needs - continued to be appropriate, particularly in light of Student's recent placements in a mental health hospital and detention facilities.
18. Additionally, District failed to provide records to Facility School #2, including the November 5, 2015 IEP, prior to Student's enrollment and for almost three weeks after he was enrolled.¹⁷
19. These failures resulted in an extremely difficult and challenging transition for Student. Facility School #2 Teacher reported that Student had significant difficulty adjusting and that Student exhibited significant anxiety and was always trying to go home. He also reported that the "transition was very rough and it felt neglectful to him" and "with a better transition he might have done better." Facility Teacher #2 did not receive a copy of Student's IEP until October 18, 2016, the day before the scheduled IEP meeting.
20. Coordinator was aware of the concerns that Parent and others from Student's IEP team had regarding Facility School #2 not being an appropriate setting for Student, and failed to address these concerns in a timely manner. On October 4, 2016, Parent informed Coordinator via e-mail of her concerns stating "I do not accept placement at [Facility School #2] for my son's educational needs. He has unique challenges around trauma as you know."¹⁸ That same day, Caseworker responded to the e-mail stating that she "encouraged [Parent] to request an IEP to ensure the district continues to seek an appropriate placement as we don't feel Facility School #2 is the best long term option."¹⁹ It was not until October 19, 2016 that an IEP meeting was held and the IEP

¹⁶ Exhibit G, pg 10

¹⁷ Facility School #2 reported requesting records from District October 3, 2016.

¹⁸ Exhibit G, pg 11

¹⁹ *Id.*, pg 14

team determined that a reevaluation is necessary in order to determine Student's present levels of functioning, strengths, and individual needs.

21. That same day as the IEP meeting, Student was detained and later committed to the Department of Youth Corrections. He is currently serving a 0-1 year sentence. There is a possibility of Student returning to District prior to his 21st birthday.

CONCLUSIONS OF LAW

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

The School District failed to comply with procedural requirements set forth in the IDEA and ECEA resulting in a denial of FAPE

1. Parent alleges that the District violated IDEA's procedural requirement by denying Parent a meaningful opportunity to participate in the development of Student's IEP, specifically, Parent's requests to meet to discuss Student's IEP. Additionally, Parent alleges District failed to develop, review or revise Student's IEP according to Student's individual needs.
2. IDEA's stated purpose is "to ensure that all children with disabilities have available to them a free appropriate public education (or FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living." 20 U.S.C. §1400(d)(1)(A), cited in *Systema v. Academy School District No. 20*, 538 F.3d 1306, 1313 (10th Cir. 2008).
3. Any analysis of the appropriateness of an IEP must begin with the standard established by the United States Supreme Court in *Rowley v. Board of Education*, 458 U.S. 176 (1982), where the Court set out a two-pronged analysis for determining whether an IEP has offered a FAPE. The first part of the analysis looks to whether the IEP development process complied with the IDEA's procedures; the second looks to whether the resulting IEP was reasonably calculated to confer some educational benefit upon the child. *Id.* at 207; see also *Thompson R2-J School Dist. V. Luke P.*, 540 F.3d 1143, 1148 (10th Cir. 2008). If those two questions are satisfied in the affirmative, then the IEP is appropriate under the law.
4. In the seminal case of *Board of Education v. Rowley*, the United States Supreme Court highlighted the importance of compliance with the IDEA's procedural requirements, particularly given the lack of specificity provided by the IDEA with respect to the substantive requirements for FAPE.

“[W]e think that the importance Congress attached to these procedural safeguards cannot be gainsaid. It seems to us no exaggeration to say that Congress placed every bit as much emphasis upon compliance with procedures giving parents and guardians a large measure of participation at every stage of the administrative process, see, e.g. 1415 (a)-(d), as it did upon the measurement of the resulting IEP against a substantive standard. We think that the congressional emphasis upon full participation of concerned parties throughout the development of the IEP ... demonstrate[s] the legislative conviction that adequate compliance with the procedures prescribed would in most cases assure much if not all of what Congress wished in the way of substantive content in an IEP.”

Board of Education v. Rowley, 458 U.S. 176, 205-206 (1982).

5. The IDEA does not establish a specific requirement for convening an IEP team meeting at parental request. What it does provide is that the IEP must be revised, as appropriate, to address any lack of expected progress; information about the child provided to, or by, the parents; the child’s anticipated needs; or other matters. See 34 C.F.R. §300.324 (b). Reviewing and revising a child’s IEP is a critical step in the IEP process and the changing needs of some students with disabilities may demand more frequent reviews and revisions to ensure FAPE is provided.
6. Additionally, the National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth (NDTAC)’s Transition Toolkit 3.0: Meeting the Educational Needs of Youth Exposed to the Juvenile Justice System (3rd Edition), highlights the importance of providing quality transition services for youth leaving the juvenile justice system and offers “practices” to facilitate that transition. Included in their recommendations are starting early and communicating with individuals involved with the transition, efficiently transferring records, and creating an effective transition plan.²⁰
7. While Parent did not specifically request a meeting in her first contact with Coordinator, Parent clearly indicated her frustration and desire to meet with the District to address Student’s educational needs in an e-mail dated September 22, 2016 and in subsequent e-mails. Parent wrote in her September 22, 2016 e-mail, “For clarification he is not 18 until 11/25...and I wonder if anyone is considering the medication in his system to support him...I feel like everyone is dropping him like a hot potato...in respect to his educational needs. This is why we requested a meeting with [Coordinator] so we could get a feel for his buy in now on the meds and was told no meeting until placement seems

²⁰ Griller Clark, H., Mather, S.R., Brock, L., O’Cummings, M., & Milligan, D. (2016). This research and publication were funded by a grant from the U.S. Department of Education.

backwards to me.”²¹ On September 30, 2016, the same day Student was to start at Facility School #2, Coordinator cancelled a previously scheduled meeting with Parent due to health issues. Parent notified District again of her concern that the current educational setting was not equipped to meet Student’s needs and he was struggling. In that e-mail, Coordinator indicated she would find time to officially call an IEP meeting. Due to some miscommunications, it was not until October 10, 2016, that Coordinator began setting up an IEP meeting to address Student’s needs. The meeting did not occur until October 19, 2016 at a scheduled IEP meeting, almost three weeks after Student began attending Facility School #2 and exhibiting behaviors to such a degree that Facility School #2 did not want to keep him.

8. For the following reasons, District was on notice of the need to convene a meeting and review Student’s educational needs as soon as possible:
 - a) Student’s significant mental health needs;
 - b) the extremely challenging behaviors Student exhibited at each of the school settings the previous school year;
 - c) his extended absence from the District due to his commitment at CMHIP;
 - d) the unavailability of the same educational setting previously agreed upon;
 - e) Mother’s concerns and request to meet to discuss Student’s needs;
 - f) the November 5, 2015 IEP’s lack of goals or accommodations to address Student’s significant social emotional needs.
9. Because of Student’s experiences with frequent school changes, detentions and commitments, and his significant mental health issues, the District knew that Student was extremely vulnerable and that time was of the essence. Accordingly, District needed to review and revise his IEP shortly after they were notified that Student would be returning to school in the District.
10. In many other circumstances, scheduling an IEP within three weeks of Student’s enrollment is reasonable. In this particular situation, however, and given the specific facts of Student’s case, the SCO finds that the totality of the District’s actions resulting in the delayed IEP meeting were not reasonable and denied Student a FAPE.

²¹ Exhibit G, pg 9

11. Accordingly, the SCO finds that under the specific facts of this case, the School District violated 34 C.F.R. 300.324 (b) by failing to timely review and revise Student's IEP.
12. With respect to Parent's right to have meaningful participation in the IEP process, the SCO finds that the District did not violate the law. Though, as noted above, the District should have convened a meeting to review and, as appropriate, revise Student's IEP upon learning that he would be released from detention, Parent was involved and was afforded meaningful participation in the meetings and discussions once they did occur. As such, the SCO finds no violation of 34 C.F.R. §§ 300.321 (a)(1), 300.324 (a)(ii) and 300.327.

The School District Failed to Educate Student in the Least Restrictive Environment

13. Mother alleges that School District failed to educate Student in the least restrictive environment. SCO disagrees.
14. The IDEA's LRE mandates that students be educated in "regular education classroom" settings to the maximum extent appropriate or, to the extent such placement is not appropriate, in an environment with the least possible segregation from the students' nondisabled peers and community. 34 CFR 300.114 through 300.120.
15. While the District did not review Student's current needs by failing to get updated information from Mental Health Hospital's school and District failed to meet to discuss what, if any, supplemental aids and services might be available to make education in regular classroom successful,²² given Student's significant emotional and mental health needs, the SCO finds that placing Student in a similar LRE educational setting that he had been in when he last attended school in District, and a similar educational setting to that found at the mental health hospital while a reevaluation took place, was reasonable and appropriate.

The School District Failed to Implement and Comply with Student's IEP

16. Lastly, Parent alleges that District failed to implement and comply with Student's IEP.
17. Following the development of an IEP, a district must implement a student's IEP with all required components as soon as possible and must provide it to each regular education teacher, special education teacher, related service

²² Detention Center, where Student attended prior to his release to the Parent, is considered a general education setting.

provider, and any other service provider who is responsible for its implementation see 34 C.F.R. 300.320 and 300.323.

18. While some cases have held that some delays in IEP implementation are excusable, others have found that in some circumstances, delays are unreasonable and result in a denial of FAPE. See, e.g., *Boulder Valley School Dist. RE 2*, 108 LRP 37708 (Colo. SEA 2008) (school district should have implemented IEP within two weeks of developing health care plan); *Paideia Academy Charter School Indep. Sch. Dist #4141-07*, 115 LRP 34277 (Minn. SEA 2015)(two week delay in providing services specified in IEP was unreasonable and violated IDEA).
19. In this circumstance the SCO finds that District's delay in providing Facility School #2 with the November 5, 2016 IEP was not reasonable or excusable. Coordinator had possession of the November IEP, was utilizing it to assess appropriate placement and she was using it to make referrals to the various programs she was investigating as possible school placements for Student. Facility School needed access to the November 5, 2016 IEP in order to understand the nature of Student's disability and the services he was entitled to. As previously stated, Student has significant mental health needs, extremely challenging behaviors which he exhibited at each of the school settings the previous school year and was being released into the community after having spent over six months either detained or committed at the a mental health hospital. Student was being transferred into a school setting with no preparation either for Student or school staff. Here, Student enrolled and attended Facility School #2 from September 30th through October 19, 2016 without the benefit of the school having a copy of the November 5, 2015 IEP. Coordinator indicated that the November 5, 2015 IEP was the document being utilized to identify an appropriate educational setting. Additionally she reported that when making referrals she sends a copy of the IEP so the school can determine if it can meet the Student's needs. However, in this case, neither Coordinator nor anyone else from District provided the facility school with a copy of his most recent IEP. Accordingly, SCO finds that District's failure to provide a copy to Facility School #2 upon Student's enrollment constituted a denial of FAPE.

Remedies

The SCO has concluded that the School District committed the following violations of IDEA:

1. Failure to develop, revise and review Student's IEP (34 C.F.R. §§ 300.320 and 300.324).
2. Failure to implement and comply with Student's IEP (34 C.F.R. 300.323).

To remedy these violations, the School District is ordered to take the following actions:

3. Upon notice of Student's re-entry into the District and intention to attend high school, District must conduct an IEP team meeting within 5 days of such notice.
 - a. The IEP team must conduct a comprehensive evaluation of all potential areas of Student's present levels and need.
 - b. The IEP team must develop an appropriate IEP.
4. By January 13, 2016, District must submit to the Department a proposed corrective action plan (CAP) that addresses each and every 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 School 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 13, 2016.
 - b. Effective training must be conducted for all School administrators, special education case managers, and School District coordinators concerning the policies and procedures, to be provided no later than March 17, 2017.
 - c. Evidence that such training has occurred must be documented (i.e., training schedules(s), agenda(s), curriculum/training materials, and legible attendee sheets) and provided to the Department no later than March 27, 2017.

The Department will approve or request revisions of the CAP. Subsequent to the approval of the CAP, the Department will arrange to conduct verification activities to verify the School district's timely compliance with this Decision. Please submit the documentation detailed above to the department as follows:

Colorado Department of Education
Exceptional Student Services Unit
Attn: Gail Lott
1560 Broadway, Suite 1100
Denver, Colorado 80202-5149

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

Conclusion

The Decision of the SCO is final and 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 §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.

This 6th Day of December, 2016.

Jacqueline N. Esquibel, Esq.
State Complaints Officer

Appendix

Complaint, dated September 30, 2016,

- Exhibit 1: Psychiatric Discharge Summary
- Exhibit 2: E-mail Correspondence
- Exhibit 3: Division of Youth Corrections Prior Notice and Consent for Reevaluation/Special Evaluation

Response, dated October 27, 2016

- Exhibit A1: IEP dated May 26, 2015
- Exhibit A2: IEP dated November 5, 2016
- Exhibit B: Allocated for Behavioral Plans which Student did not have
- Exhibit C: Copies of Student's Progress Reports for the 2015-2016 school year
- Exhibit D1: Student's Attendance Records from District Separate School
- Exhibit D2: Student's Attendance Records from Sierra School Program
- Exhibit E: Student's Disciplinary Records from the 2015-2016 school year
- Exhibit F1: Prior Written Notice dated September 22, 2015
- Exhibit F2: Prior Written Notice dated October 19, 2016
- Exhibit G: All Correspondence between School District Staff, staff at any schools or facilities Student attended, and Mother concerning the Complaint allegations
- Exhibit H: A List of the Facilities and Schools Student attended since the beginning of the 2015-2016 school year.
- Exhibit I: A list of School District staff members and staff members at any schools Or facilities Student has attended who has knowledge of the facts underlying the Complaint allegations.
- Exhibit J: Policies, procedures and manuals maintained by School District relating To the Complaint allegations.
- Exhibit K: A copy of the District's 2015-2016 and 2016-2017 school calendars
Facility School #1 2015-2016 school calendar

Reply, dated November 7, 2016