

**IDEA WRITTEN ADMINISTRATIVE COMPLAINT
NUMBER 08-009**

Name of the school system:

Shelby County Schools

Description of the violation:

- (1) The district denied special education services to the student from February 20, 2008 to May 23, 2008 while the student was suspended.
- (2) The district failed to conduct a manifestation determination after being made aware that the student was a student with a disability and was eligible for Special Education Services.

Citation of the law or regulation determined to have been violated:

20 USC 1400, et.seq. (IDEA)

- (1) 34 C.F.R. 300.17 Free Appropriate Public Education
- (2) 34 C.F.R. 300.101 Free Appropriate Public Education
- (3) 34 C.F.R. 300.39 Special Education
- (4) 34 C.F.R. 300.530 Authority of School Personnel

Corrective measures proposed by the school system:

The school district's plan includes:

- (1) Offering additional services from the counselor through small group and one on one counseling sessions,
- (2) Consultative services four times per month fifteen minutes per session,
- (3) IEP Academic accommodation and a Behavior Improvement Plan to address Regular Education Program Participation and,
- (4) Co-Teaching in an Inclusive Environment for Math and Language Arts five times per week for each subject.

Final determination of the department:

At this posting the IEP Team and the complainant have agreed through the IEP process to implement the corrective measures. The Division of Special Education is satisfied that the school system has accomplished the tasks listed in the closure letter.