

# Complaint Decision 19-004C

September 20, 2018

Dr. Shawn W. Yates, Superintendent  
Ada-Borup ISD 2854-01  
604 Thorpe Avenue West  
Ada, MN 56510-0308

[REDACTED]  
[REDACTED]  
[REDACTED]

Re.: Complaint Decision File 19-004C on behalf of [REDACTED] from Ada-Borup ISD 2854-01

Dear Superintendent Yates and [REDACTED]:

The Minnesota Department of Education (MDE) has reached a decision regarding the complaint [REDACTED] (Complainant) brought on behalf of [REDACTED] (Student), a student attending school in Ada-Borup Independent School District 2854-01 (District) during the time period covered by this complaint. An independent investigation was conducted, which was limited to allegations that occurred on or after July 25, 2017, one year prior to the date the complaint was received. The independent investigation included:

- An opportunity for the District to respond to the complaint.
- An opportunity for the Complainant and the District to submit additional information, either orally or in writing.
- Discussions with the Complainant and District staff.
- A review of all relevant information.

Based on consideration of the information collected in the investigation, an independent decision was made about whether the District violated special education law. The decision addresses the issue from MDE's letter dated July 31, 2018. The District provided a written response to the complaint on August 15, 2018. The decision includes:

- Findings of fact and conclusions.
- The reasons for the final decision.
- Corrective action (remedies).

The findings of fact and conclusions, and reasons for the final decision, explain how the decision was reached on the issue. The decision section reports on whether there was a violation of special education law. Corrective action is included when appropriate. Corrective action outlines the remedies the school district must complete when a violation is found.

## Issue 1

The Complainant alleges the District failed to provide services in conformity with the Student’s individualized education program (IEP) during the 2017-18 school year. Specifically, the Complainant alleges the District failed to provide speech or language services to the Student as set forth in his IEP whenever the speech clinician was unavailable.

## Findings of Fact

1. The Student was found eligible for, and in need of, special education and related services under Minnesota law and attended [REDACTED] school within the District during the time period covered by this complaint.
2. According to the District’s 2017-18 [REDACTED] *Student Handbook* available on the District’s website, the school day began at [REDACTED] a.m. and ended at [REDACTED] p.m., for a total of 400 minutes per day.
3. The Student’s IEP that was in effect for the majority of the 2017-18 school year is dated September 18, 2017 (2017 IEP). The 2017 IEP was proposed as a result of a September 18, 2017 IEP team meeting (September 2017 IEP team meeting). The Complainant agreed to the 2017 IEP on September 27, 2017, which was the same date the District proposed the 2017 IEP in a prior written notice.
4. The September 27, 2017 prior written notice provides, in pertinent part: “The District is proposing to implement the IEP discussed at the IEP Team Meeting on 9/18/2017. Please see attached IEP.”
5. The Student’s 2017 IEP indicates the Student is educated in a federal setting I, receiving special education and related services outside the regular class no more than 21 percent of the day.
6. The service grid in the 2017 IEP indicates the Student was to receive the following services:

Statements of Special Education and related services	Start Date	Frequency	Indirect minutes per session	Direct minutes per session	Location	Anticipated Duration
Speech/Language: Language Instruction	10/10/2017	1/week	10	20	Special education room	36 weeks
Specialized Instruction: Reading	10/10/2017	5/week	10	20	Resource room	36 weeks
Specialized Instruction: Mathematics	10/10/2017	5/week	10	20	Resource room	36 weeks
Occupational Therapy	10/10/2017	12/year	30	0	Regular classroom	1 year

7. The 2017 IEP indicates the Student would receive speech instruction, referred to as "Speech/Language: Language Instruction" in the service grid, at a time his peers were ending physical education and starting math.
8. When she filed her complaint, the Complainant initially alleged the District failed to provide services in conformity with the Student's 2017 IEP by failing to hold make-up sessions when the speech clinician was unavailable to provide speech services to the Student during the 2017-18 school year.
9. In its August 14, 2018 response, the District alleged the speech clinician was unavailable a total of four times that impacted the Student's speech sessions during the 2017-18 school year and scheduled make-up sessions for three of those four sessions. The District also asserted: "Pursuant to the Student's IEP for the 2017-18 school year, the Student was to receive 20 minutes of direct services *two times* a week and 10 minutes of indirect services *two times* a week for the school year." (Emphasis added.)
10. Upon receiving the District's response, the Complainant reported she was not aware the Student was receiving speech instruction in any frequency, amount, or duration different than what was set forth in the 2017 IEP and that she would not have consented to the Student being taken out of math more than once weekly to receive speech instruction.
11. Via emails from the complaint investigator on August 27 and 28, 2018, the District was put on notice and offered an opportunity to respond to the Complainant's allegation raised during the investigation of this complaint "that the Student was provided more speech/language instruction than the IEP provided for (e.g. he received 20 minutes of direct instruction *twice* weekly as opposed to *once* weekly, as set forth in the IEP)." (Emphasis in original.) On August 30, 2018, the District responded via email that it "will not be sending an additional district response" and was hopeful staff interviews would be instructive.
12. The speech clinician's schedule for the 2017-18 school year provided by the District was consistent with the District's response to the complaint and reflects she was scheduled to provide to the Student 20 minutes of direct speech instruction twice weekly. The speech clinician confirmed she provided direct speech instruction to the Student twice weekly for 20 minutes each session. The speech clinician also confirmed she was unavailable a total of four speech sessions that impacted the Student during the 2017-18 school year and that she scheduled make-up sessions for all but one session.
13. When questioned about the discrepancy between the services provided and the service grid in the Student's 2017 IEP, the speech clinician explained the IEP contained a clerical error, and that instead of once per week, she recommended the Student receive 20 minutes of direct speech instruction twice weekly during the September 2017 IEP team meeting. Similarly, the Student's case manager reported it was her understanding the Student was supposed to receive 20 minutes of direct speech instruction twice weekly and that she made a clerical error in drafting the IEP. The Student's case manager provided her handwritten notes taken contemporaneously with the September 2017 IEP team meeting, which reflect the IEP team discussed providing the Student with speech instruction "2x a week."
14. On the two days per week the Student received 20 minutes of direct speech instruction during the 2017-18 school year, the Student received special education outside the regular class for approximately 15 percent of the school day. The Student received direct speech instruction a total of 1,440 minutes during the 2017-18 school year, but the Student's 2017 IEP only provides for 720 minutes of direct speech instruction.
15. The Student's 2017 IEP contains three goals, in each of the following areas: reading, mathematics, and speech/social skills. [REDACTED]  
[REDACTED]:

[REDACTED]

16. The Student's May 16, 2018 progress report indicates [REDACTED] 90% accuracy. (He is able to be dismissed from speech at this time.)"
17. The speech clinician reported the Student "made wonderful progress" on and met his speech goals during the 2017-18 school year. Likewise, the evaluation report (ER) dated May 22, 2018, states: "[Student] [REDACTED] and is doing a great job [REDACTED]. He is easy to understand in conversational speech. [Student] has age-appropriate language and articulation skills, which are not impacting his ability to communicate effectively with teachers and peers in both academic and social settings. [Student] has appropriate voice and fluency at this time." The ER further states the Student no longer meets Minnesota criteria for speech or language impairments.
18. The Complainant stated she does not agree with the ER and has not noticed a difference in the Student's speech [REDACTED]. However, the Complainant stated she did not believe Student needed the speech services during the 2017-18 school year and "does not really have a speech problem." She stated she believed Student's regular classroom teacher could simply correct the [REDACTED] issue in the classroom.
19. The Student's May 16, 2018 progress report indicates the Student met his mathematics goal of "increas[ing] his number sense, math fact fluency, and real world mathematics skills by averaging 80% per quarter on his tests and math probes."
20. The Student's report card for the 2017-18 school year shows the Student earned a grade in math during the 2017-18 school year between 96 and 100 percent in the first quarter, between 90 and 95 percent in the second and third quarters, and between 83 and 89 percent in the fourth quarter.
21. The ER states that the May 2018 Standardized Testing and Reporting (STAR) testing demonstrates the Student is able to complete math skills at [REDACTED] grade [REDACTED] level, which was an increase from his September 2017 test results [REDACTED]. At the same time, the ER also indicates the Student has continued difficulties in mathematics, and other testing reflected in the ER shows the Student demonstrates very low math problem solving skills and low average math calculation skills, for an overall math score in the low range. The ER indicates the Student's continued need for special education and related services.

## Conclusions

1. School districts must make available to each eligible student a free and appropriate public education (FAPE), consisting of special education and related services that are provided in conformity with the Student's individualized education program IEP pursuant to 34 C.F.R. §§ 300.17 and 300.101.

2. The record supports a conclusion that the speech clinician was, on four occasions, unavailable during the Student's scheduled speech instruction, but that, with the exception of one session, the Student received make-up speech instruction.
3. The District admits it provided to the Student 20 minutes of direct speech instruction twice weekly. This amount is twice that which is set forth and was agreed upon as reflected in the prior written notice and the attached Student's 2017 IEP.
4. The record, including the District's response and attached documentation, supports a conclusion that the District provided 1,440 minutes of speech instruction during the 2017-18 school year. The District provided 720 minutes in excess of what was set forth in the Student's 2017 IEP. Accordingly, the District violated 34 C.F.R. § 300.17 by failing to provide services in conformity with the Student's IEP during the 2017-18 school year.
5. The record supports a conclusion that, even with the additional 20 minutes of speech instruction provided weekly, the Student continued to receive special education and related services outside the regular class no more than 21 percent of the day, consistent with his placement in federal setting I and as outlined in his 2017 IEP.
6. Federal regulations at 34 C.F.R. § 300.503 provide, in relevant part:
  - (a) Notice. Written notice that meets the requirements of paragraph (b) of this section must be given to the parents of a child with a disability a reasonable time before the public agency—
    - (1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child . . .
    - (b) Content of notice. The notice required under paragraph (a) of this section must include –
      - (1) A description of the action proposed or refused by the agency . . .
7. Minnesota Statutes, section 125A.091, subdivision 3a provides:

Additional requirements for prior written notice. In addition to federal law requirements, a prior written notice shall:

  - (1) inform the parent that except for the initial placement of a child in special education, the school district will proceed with its proposal for the child's placement or for providing special education services unless the child's parent notifies the district of an objection with 14 days of when the district sends the prior written notice to the parent; and
  - (2) state that a parent who objects to a proposal or refusal in the prior written notice may request a conciliation conference under subdivision 7 or another alternative dispute resolution procedure under subdivision 8 or 9.
8. School districts are required to follow the procedural requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400, *et seq.* School districts commit a violation of such procedural

requirements when they fail to provide parents with an opportunity to participate in the IEP drafting process by failing to provide the parents with an IEP that accurately reflects the offer of services provided to a student. *See M.C. by and through M.N. v. Antelope Valley Union High Sch. Dist.*, 858 F.3d 1189, 1198 (9th Cir. 2017) (interpreting the procedural requirements of IDEA). When a parent is unaware of the services offered to a student because of the IEP's inaccurate content, the parent cannot monitor or enforce school district compliance with the IEP, such as whether a free appropriate public education (FAPE) has been denied. *Id.*

9. The District failed to provide the Complainant with an accurate September 27, 2017 prior written notice and 2017 IEP with respect to the amount, duration, or frequency of speech instruction. The record supports a conclusion that the District intended to propose providing 20 minutes of direct speech instruction twice weekly to the Student in the 2017 IEP, but instead proposed only 20 minutes of direct speech once weekly. The District thus violated 34 C.F.R. § 300.503(b) by failing to accurately reflect its actual proposal in the September 27, 2017 prior written notice. Because of the District's error, the Complainant was not afforded the opportunity to object to the District's actual proposed change, as required by Minnesota Statutes, section 125A.091, subdivision 3a, or the opportunity to participate in the formation of the Student's 2017 IEP and effectively monitor and enforce the IEP. *Antelope Valley High Sch. Dist.*, 858 F.3d at 1198.
10. The record, including documentation and interviews, supports a conclusion that no educational harm resulted to the Student as a result of the District's failure to provide services in conformity with the Student's 2017 IEP. Because the District provided more speech instruction to the Student than the IEP required, the Student never missed any sessions of speech instruction required by his IEP. Additionally, although, during the 2017-18 school year, the Student was removed from math class as much as 720 minutes more than outlined in the Student's 2017 IEP, the Student met his annual math goal, had an adequate year-end math grade, and tested at the appropriate math grade level. Although the ER indicates the Student's continued difficulties in math, that information is instructive in the Student's continued need for special education and related services.

## Decision

The District violated 34 C.F.R. § 300.17 by failing to provide services in conformity with the Student's IEP during the 2017-18 school year by providing approximately 720 minutes of speech instruction that was not outlined in the Student's 2017 IEP.

The District also violated 34 C.F.R. § 300.503(b) and Minn. Stat. § 125A.091, subd. 3a, when it failed to serve the Complainant with written notice that accurately described the action proposed in the 2017 IEP and denied her the opportunity to participate in the formation of the Student's 2017 IEP and effectively monitor and enforce the IEP.

## Corrective Action

Corrective action appears at the end of this decision.

## Issue 2

The Complainant alleges that, during a May 2018 IEP team meeting, the District did not consider relevant factors, specifically the Student's individual academic needs, when determining the Student's eligibility for Extended School Year (ESY) services and the type, amount, or duration of ESY services as part of receiving a FAPE.

## Findings of Fact

1. The September 27, 2017 prior written notice proposing the Student's 2017 IEP states, in pertinent part: "The team considered increasing the number of [Extended School Year (ESY)] days and determined that at least one day is needed to help transition back into school. However, a conversation will be held in May about whether or not [the Student] will need more ESY services [REDACTED]. Up to 4 days can be offered for ESY in August of 201[8] [sic]."
2. The Student's 2017 IEP provides for one session of ESY for 30 minutes of direct reading instruction.
3. The Student's 2017 IEP contains three annual goals, in each of the following areas: reading, mathematics, and speech/social skills.
4. The reading goal in the Student's 2017 IEP provides:
5. "[Student] will increase his reading comprehension, vocabulary and decoding skills by averaging 80% per quarter on his reading tests by Sept[ember] 2018."
6. The mathematics goal in the Student's 2017 IEP provides:
7. "[Student] will increase his number sense, math fact fluency, and real world mathematics skills by averaging 80% per quarter on his tests and math probes."
8. The speech/social skills goal in the Student's 2017 IEP provides:  
[REDACTED]  
[REDACTED]  
[REDACTED]
9. The May 16, 2018 progress report for the 2017-18 school year indicates the Student made adequate progress on his reading goal and met his goals for mathematics and speech/social skills.
10. On May 22, 2018, the Student's IEP team met (May 2018 IEP team meeting) to discuss the results of the ER, dated May 22, 2018. The case manager's notes taken contemporaneously with the meeting reflect the parties discussed the Student's ER. In pertinent part, the ER states that, although the Student "has difficulties in reading and in mathematics . . . [o]nce [the Student] has learned a skill he is able to retrieve it later for use."<sup>1</sup> The case manager's notes also reflect the parties discussed that the Student "has made lots of academic gains" but is still in the low average to average range in reading

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<sup>1</sup> During the investigation of this complaint, the Complainant reported she does not agree with the ER generally and specifically does not agree that retrieval or retention of learned skills is an area of strength for the Student.

comprehension, has difficulties in math problem solving and with word problems, has difficulty with writing [REDACTED], and does not read for comprehension. Additionally, the notes reflect the parties discussed that the Student has difficulty with [REDACTED].

11. The Complainant reported that, during the May 2018 IEP team meeting, the IEP team did not discuss any regression by the Student in the areas of math and reading when discussing ESY services. The Complainant further reported the IEP team only discussed the Student's STAR testing data contained in the ER, which contained data from fall 2017 and spring 2018 but did not report STAR testing data from spring 2017. She reported the Superintendent noted the Student made significant gains in both reading and math according to the STAR testing data set forth in the ER, and that he stated, "We do not offer academic ESY for students that show gains."
12. In a May 25, 2018 prior written notice, the District proposed an amended IEP (Proposed Amended IEP). The only change in the Proposed Amended IEP related to ESY services; the District proposed one 2-hour session of direct instruction in [REDACTED] academics and three 2-hour sessions of direct instruction in [REDACTED] skills training. The prior written notice indicates the proposed ESY services were to assist with [REDACTED] situations and support the Student in transitioning back to school in the fall and that, in making this proposal, the IEP team considered "[i]nput from related services providers and evaluation report." The prior written notice also explains: "The team considered only providing [ESY] services that provided support in transitioning back to school, [REDACTED]"
13. The District received a written objection from the Complainant on June 11, 2018. On her objection, the Complainant wrote: "I am requesting additional ESY hours to work on academics. The recent [ER] states many areas of the curriculum that need continuous attention due to the degree of impairment."
14. As a result of the Complainant's objection, the parties met for a conciliation conference on July 9, 2018. There, the parties discussed, in pertinent part, the Student's STAR testing data from spring 2017 compared to fall 2017. Based on the parties' discussion, the District proposed additional ESY services in a July 9, 2018 prior written notice, which went into effect after 14 days on July 23, 2018.

## Conclusions

1. Federal regulations at 34 C.F.R. § 300.106(a) provide, in pertinent part:
  - (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE, consistent with paragraph (a)(2) of this section.
  - (2) Extended school year services must be provided only if a child's IEP Team determines, on an individual basis, in accordance with §§ 300.320 through 300.324, that the services are necessary for the provision of FAPE to the child.
2. Minnesota Rules 3525.0755, subparts 1 and 3, describe the responsibility of IEP teams to consider ESY needs:

Subpart 1. Scope. School districts are required to provide extended school year (ESY) services to a pupil if the IEP team determines the services are necessary during a break in instruction in order to provide a free appropriate public education.

...

Subpart 3. Determination of ESY entitlement. At least annually, the IEP team must determine a pupil is in need of ESY services if the pupil meets the conditions of item A, B, or C.

- A. there will be significant regression of a skill or acquired knowledge from the pupil's level of performance on an *annual goal* that requires more than the length of the break in instruction to recoup unless the IEP team determines a shorter time for recoupment is more appropriate;
- B. services are necessary for the pupil to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the pupil's age and level of development, and the timeliness for teaching the skill; or
- C. the IEP team otherwise determines, given the pupil's unique needs, that ESY services are necessary to ensure the pupil receives a free appropriate public education.

(Emphasis added.)

3. Minnesota Rules 3525.0755, subparts 2 and 4, further clarify:

Subpart 2. Definitions. . . .

- A. "Recoupment" means a pupil's ability to regain the performance of a skill or acquired knowledge to approximately the same level of performance just prior to the break in instruction.
- B. "Regression" means a significant decline in the performance of a skill or acquired knowledge, specified in the *annual goals* as stated in the pupil's IEP, that occurs during a break in instruction. . . .

(Emphasis added.)

Subpart 4. Sources of information for IEP team determination. The IEP team must decide the basis for determining whether a pupil is eligible for ESY services using information including:

- C. prior observation of the pupil's regression and recoupment over the summer . . .

4. The record, including the notes of the May 2018 IEP team meeting, May 25, 2018 prior written notice, and ER, supports a conclusion that, during the May 2018 IEP team meeting, the IEP team considered the Student's individual and unique needs, including his academic needs, in determining the type, amount, and duration of ESY services to be offered to the Student as part of receiving FAPE, in accordance with 34 C.F.R. § 300.106(a) and Minnesota Rules 3525.0755.

## Decision

The District is not in violation.

## Issue 3

The Complainant alleges the District failed to hold a conciliation conference within 10 calendar days from the date the District received the parent's objection to an IEP proposed after a May 2018 IEP team meeting.

## Findings of Fact

1. The District proposed an amended IEP (Proposed Amended IEP) in a May 25, 2018 prior written notice.
2. The Complainant reported she mailed the Parental Consent/Objection form to the District on the same date she signed the form objecting to the Proposed Amended IEP, which was June 7, 2018.
3. The Parental Consent/Objection form provided by the District reflects the District received the form on June 11, 2018.
4. On June 13, 2018, the Assistant Director emailed the Complainant stating, "If you would like a conciliation conference, [the Superintendent] and I could meet with you next Wednesday morning June 20, 2018. Is there a time that morning that works for you?"
5. The Complainant responded via email the same day stating, in pertinent part, "I cannot meet next week."
6. On June 14, 2018, the Superintendent emailed the Complainant, expressing his disappointment relating to the Complainant's objection and stating the District would move forward with implementing the one day of ESY as set forth in the Student's 2017 IEP.
7. The Complainant responded via email the same day stating, "Please reconsider meeting with me, give me more than one option and I will make something work. . . . This one time I couldn't make it on your convenience you offer no other alternatives. I apologize, we have plans that we can't change for next Wednesday . . ."
8. On June 15, 2018, the Superintendent emailed the Complainant stating, "Your response to [the Assistant Director's] email stated you were not available to meet next week. We can certainly attempt to arrange a meeting for the following week if that works better for you. . . . Please let me know your availability during the week of June 25 and if you would like to meet."
9. The Complainant and District emailed multiple times between June 15 and 21, 2018, to find a mutually-agreeable date to hold the conciliation conference.

10. The District provided a copy of the June 21, 2018 Confirmation of Conciliation Conference, for a conciliation conference scheduled on July 9, 2018, which was the date the parties actually met.
11. The Complainant reported that, during the July 9, 2018 conciliation conference, the parties agreed to the type, amount, and duration of ESY services for the Student, which were implemented in a timely manner: the Student was able to attend an ESY [REDACTED] skills camp in July 2018, and the Student attended 12 sessions of academic ESY prior to the beginning of the 2018-19 school year.

## Conclusions

1. Minnesota Statutes, section 125A.091, subdivision 7, provides:

Conciliation conference. A parent must have an opportunity to meet with appropriate district staff in at least one conciliation conference if the parent objects to any proposal of which the parent receives notice under subdivision 3a. A district must hold a conciliation conference within ten calendar days from the date the district receives a parent's objection to a proposal or refusal in the prior written notice. . . .
2. Minnesota Rules 3525.3700, subpart 1a, provides:

Subpart 1a. When and where held; results. A conciliation conference must be held in accordance with items A to E.

A. A conciliation conference must be held within ten calendar days from the date the district receives a parent's objection and at a time and place mutually convenient to the parent and school district representatives. . . .
3. The District violated Minnesota Statutes, section 125A.091, subdivision 7, and Minnesota Rules 3525.3700, when it failed to hold a conciliation conference with the parent within 10 calendar days from the date the District received the parent's objection to the Proposed Amended IEP. The District contacted the Complainant and offered to meet for a conciliation conference on the ninth day of the 10 calendar day time frame. Although the Complainant responded she was unavailable to meet, there is nothing in the record that reflects the District attempted to schedule the conciliation conference at a different mutually-agreeable time and place within the statutory time frame.
4. Minnesota Statutes, section 125A.091, subdivision 28 provides:

District liability. A district is not liable for harmless technical violations of federal or state laws, rules, or regulations governing special education if the school district can demonstrate that the violations did not harm a student's educational progress or the parent's right to notice, participation, or due process. This subdivision is applicable to due process hearings and special education complaints filed with the department.
5. The record supports a conclusion that the District's failure to schedule the conciliation conference within the 10 calendar-day statutory timeframe was a harmless technical violation in accordance with Minnesota Statutes, section 125A.091, subdivision 28. After multiple emails, the District and

Complainant met for the conciliation conference at a time and place mutually convenient to both parties. Additionally, the Complainant confirmed that, during the conciliation conference, the parties came to a mutually-agreeable solution to the Complainant's objection such that the Student received agreed-upon ESY services in a timely manner prior to the beginning of the 2018-19 school year.

## Decision

Under Minn. Stat. § 125A.091, subd. 28, the District committed a harmless technical violation of Minn. Stat. § 125A.091, subd. 7 and Minn. R. 3525.3700 when it failed to hold a conciliation conference within 10 calendar days.

## Corrective Action

Within 15 calendar days of the date of this complaint decision, the District will contact MDE's corrective action specialist, [REDACTED], to discuss the District's training needs around general due process, providing services in conformity with an IEP, and prior written notice and parental participation, consistent with 34 C.F.R. §§ 300.17, 300.101, and 300.503(b), and Minn. Stat. § 125A.091, subd. 3a. MDE will then provide a training plan, to be completed by the District no later than November 16, 2018. The District shall submit documentation of the completion of training, including training materials and a list of attendees, no later than December 14, 2018.

Additionally, within 30 calendar days of the date of this decision, the Student's IEP team will meet to review the Student's IEP to ensure it accurately reflects the Student's participation in activities with disabled and nondisabled peers.

The authority to review complaints is given in the federal regulations to the IDEA, 34 C.F.R. §§ 300.151-153. Questions about the corrective action should be directed to the corrective action specialist [REDACTED].

Sincerely,

Marikay Canaga Litzau, J.D.  
Director of Compliance and Assistance  
Minnesota Department of Education

MCL/kr

c: Julie Aumock, Special Education Director