

# **IDEA WRITTEN ADMINISTRATIVE COMPLAINT NUMBER 16-35**

## **Name of the school system:**

Metro Nashville Public Schools (MNPS)

## **Description of the violation:**

MNPS's failure to conduct a comprehensive evaluation and misapplication of the guidelines for eligibility was a procedural violation and substantive violation of federal and state special education laws, which amounted to a denial of the student's entitlement to a free appropriate public education (FAPE).

## **Description of the law or regulation determined to have been violated:**

|  |                     |
|--|---------------------|
| 34 C.F.R. §300.311   | Child Find          |
| 34 C.F.R. §300.301 (c) (1) (i)                                       | Initial Evaluations |
| Tennessee Special Education Laws Chapter 0520-01-09-.02 (8) and (15) |                     |

## **Corrective measures ordered by the department:**

MNPS must correct the violation by implementing the following corrective actions:

1. Schedule training regarding the aforementioned regulations, as mandated by the IDEA, to the appropriate staff of MNPS within 30 days of receipt of this notice.
2. Provide documentation to the department of the training (agenda and sign-in sheets) within 10 days after the training.
3. Schedule an IEP Meeting to revisit the eligibility determination and make arrangements for compensatory services from previous eligibility determination date to the date of eligibility.
4. If requested by the parent, provide an independent educational evaluation or an evaluation by another MNPS psychologist.

## **Final determination of the department:**

The department will monitor MNPS for compliance with the correction action plan until the department is satisfied that it has been completed.