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**FOR IMMEDIATE RELEASE**

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**HUMAN RIGHTS AUTHORITY - PEORIA REGION**  
**REPORT OF FINDINGS**

**Case #14-090-9014**  
*Peoria Public School District 150*

**INTRODUCTION**

The Human Rights Authority (HRA) opened an investigation after receiving a complaint of possible rights violations at the Peoria Public School District 150. The complaints alleged the following:

1. Student IEP not followed, including a student was unsupervised in a crowd.
2. Inadequate grievance process.
3. Inadequate parent involvement, including school staff not responding to parent communications and a lack of recognition of parental suggestions.
4. Staff not following parental request to cease in taking student to a room used for students with behavior problems.

If found substantiated, the allegations would violate Illinois state school special education regulations (23 Il Admin Code 226) and Federal regulations regarding special education (34 CFR 300).

The school district's total enrollment is approximately 14,000 students with approximately 2,500 receiving special education services. The district serves children with disabilities from early childhood through the age of twenty two.

To investigate the allegations, HRA team members interviewed District 150 staff members and reviewed documentation that is pertinent to the investigation.

**COMPLAINT STATEMENT**

The complaint states that a student in the special education program was to be supervised in crowded areas according to her Individualized Education Program (IEP), but allegedly left a cafeteria, with no supervision, and walked alone to her classroom. Reportedly, the student's parent was told this was possible because the staff who were supervising in the cafeteria were busy with other children.

The alleged incident occurred on September 24<sup>th</sup> and the student's parent supposedly emailed the school requesting an investigation into the incident on the 25<sup>th</sup>. According to the complaint,

a meeting was held between the school and the parent on Oct. 4<sup>th</sup> and the parent was told that staff could not inform them exactly what had happened, they could only speculate. The staff reportedly then said that the student may have asked to use the restroom to which the student's parent responded that could not have happened because the student has a speech deficiency and receives help with using the restroom. Reportedly the school principal did commit to personally being in the cafeteria to supervise the student and then said that she would talk to staff about what occurred. The negligence of the IEP was never acknowledged by the staff as per the complaint.

The complaint also states that the student's parent sent an email to the Director of Special Education on October 8<sup>th</sup> with details about the incident and the student's parent never received a response to the complaint. Reportedly, on Oct. 10, the student's parent was told that the student crushed a milk carton and on Oct. 11<sup>th</sup> the student's parent sent an email asking what occurred but received no response. Allegedly, the student's parent also made suggestions regarding possibly putting a tag on the student or informing other teachers to watch out for the student and no action was taken on the suggestions.

The final allegation states that during the previous school year, the parent had requested the student not be taken to the Alternative Classroom Environment (ACE) room because it is a room strictly for students with behavior problems. Allegedly the Special Education Coordinator told the student's parent that she had instructed the student's teachers and staff not to send the student to the room. According to the complaint, the student's parent recently dropped off the student at school in the morning and as the parent talked with staff, they heard the student screaming in the classroom and then observed the student screaming. While calming the student down and resolving the situation, the staff mentioned that the student was recently taken to the ACE room to calm her down, even though the parent had requested that this not occur. The staff member allegedly said that he/she was going to have the other staff take the student into the teacher's lounge when necessary instead of the ACE room.

#### **INTERVIEW WITH STAFF (1.15.14)**

Staff began the interview by stating the student was not left totally unsupervised while in the cafeteria. The student would not join the other students when she entered the cafeteria, so a staff member would meet her when she entered the cafeteria and then staff would leave with her so she would not be alone. The staff member will make sure that the student is situated in the cafeteria. While in the cafeteria, there is one staff member on duty who is supervising the students but there are typically many other staff in the room. While the staff member is not directly watching the student, there are always staff around while students are in the cafeteria. Students do not leave the cafeteria by themselves. If a staff member missed her leaving, it is a very unusual occurrence. It is a school wide expectation that students stay in the lunchroom and do not leave on their own. Staff speculated that the situation could have occurred due to the student not wanting her lunch. Students choose their lunches the day before, and this student will often request a lunch that she overheard another student request, essentially mimicking the student. When the student actually views her lunch, she sometimes becomes upset and squeezes her milk carton or even physically strikes people. Staff speculated that in this case, the student

saw her lunch, became upset and eloped to find her home room teacher. The homeroom teacher brought the student back to the cafeteria and the school informed the student's father about the elopement. Staff explained that the student will become upset about a situation and elope to locate her homeroom teacher, which is the teacher with whom she is most comfortable.

The lunchroom is actually two rooms that are joined and the students enter the room staggered by grade. This specific student is in 2<sup>nd</sup> grade and enters from 11:50-12:20. Sometimes the student enters the lunchroom early and if she is having behavioral issues, she enters late. The student will also enter with the other students. There are times that the student does not make it into the lunchroom because she is screaming, having behaviors, and is taken to the principal's office until she is ready to enter the lunch room.

Staff explained that now the student is given visual queues when picking out her meals. The student is shown actual photographs of meals and staff ask what meal she wants from the pictures. Staff said this has helped the situation. Also, if there are leftovers, staff will offer her another meal if the student is unhappy with her lunch when she receives it.

Staff explained that they had meetings last year regarding the student's level of supervision. They discussed whether the student was in need of a one-on-one aide but it was decided to wait because they want her to be as independent as possible. The student has experienced a lot of growth and the only place where supervision is needed is in the lunchroom. Staff cannot even determine how the student left the cafeteria, because the room doors are very heavy and the student has difficulty opening the doors. Staff said that the student eloped one time and although they cannot guarantee that it will not happen again, they do feel confident that the student will not elope for a second time.

Staff explained that the student's father never directly emailed the principal. Emails were sent to the student's homeroom teacher. Because of the nature of the emails, the school principal asked that the homeroom teacher not respond to the emails, but rather forward the emails to the school principal for response. The student's father did ask about an identification badge but the student already has a badge with her name. Staff explained that regardless of the program, students are not supposed to be outside of the lunchroom by themselves, so staff would help any student. Staff explained that the student's father requested a big, yellow tag and staff thought that would make her stand out and then the issue was dropped. Staff are promoting inclusion and making the student part of the general classroom population. They had even sent staff to another school to watch a classroom for students with autism for possible ideas and they determined that the student's behaviors were of a much lesser degree than what they saw in those classrooms.

Staff explained that the ACE room is a multi-functional room. The room is used for conferences, test taking, quiet time room and in-school suspensions. It is also a room for outside agencies to use if needed. Staff stated that early in the student's first grade year, the student was having behaviors that were extreme for her, and she was taken to the ACE room to calm down. The student's father did not like that the student was taken to the ACE room and staff agreed to no longer utilize the room. With the current situation, the student was having a behavior as she was walking down the hall with a teacher. The teacher took her into the room because the room was available. Other staff entered the room to assist the student but nothing helped. It was

explained to the student that she was not being disciplined. They explained to the student's father that she was not taken into the room because of a behavior issue but because it was an available room. They also took the student to the data room that same day, which is a room outside the teacher's lounge. There were no teachers there and it worked very well so they asked her if she wanted to use that room if she was having a behavior.

The staff explained that the ACE room is used for all students. It is used for behaviors that are not acceptable. For example, a student using a wheelchair kept scooting out of her chair even though the aide said not to, and because of this they would use the ACE room as a transitional room. The room is for deescalating behavior and staff would not take the student to the room to deescalate if someone else was in the room. The students know that they are there to deescalate and transition back into the classroom. If behaviors actually disrupt teachers from teaching, they will take them into that room. They want the students to be learning constantly. They think that the father's perception is that the room is for bad behavior. Staff did not believe that it was written into the student's IEP that she was not to go into the ACE room. Staff did discuss during the interview that maybe they need to look at the room and change the name so that it has a more positive connotation. They said most schools have an ACE but they are not sure if they are all called ACE rooms.

Staff explained that regarding the complaint, the staff called the student's father to inform him what happened within lunch room. The principal saw the student's father in the hallway and let him know that everything was fine with the student. She apologized for not being right there with the student and said that they would keep an eye on her. The staff explained that there was a meeting regarding the incident and they left the meeting believing that the issue had been resolved. During the meeting, the student's parent was concerned about the ACE room and the incident in the lunchroom. The school principal never received a grievance about the incident and never received an emailed grievance.

Staff explained that if a parent has a complaint, they can call the principal or the special education coordinator. After that contact, if the parent is still not satisfied, then they can contact the district office. There is a formal grievance process for the school that involves the parent completing a grievance form. The grievance filters back to the school and is documented.

When staff heard about the complaint, they called an IEP meeting as a full team and discussed the concerns. They felt that the meeting was positive. The student has a "get ready" spot in her classroom and when she has a behavior, she goes into the spot until the behavior subsides. They did implement some of the suggestions that the student's father made. He asked for a functional behavioral analysis with which they complied. They wrote a formal intervention plan based on the behavior analyst's assessment. They also met as a group and wrote a plan for a specific behavior and interventions for that behavior. They had never done this before because the behaviors changed so often. Staff also send social stories home to implement on Saturdays and Sundays to prepare the student for school on Mondays. The student's motive when she has behaviors is to talk with her father but this does not help the behavior. When they have allowed her to talk to him in the past, she becomes upset and says he needs to come pick her up from school. He knows that she is not allowed to call him and they now let just let her behaviors subside.

The staff and the student's father visited the autism program at another school in the district and he was impressed because of the ratio of adults to children (3 adults to 2 or 3 students). Staff explained that the student is doing a wonderful job with inclusion and they do not want to digress. The student's behaviors and frequency of behaviors were minor compared to other students in the autism program. Staff said she is also functioning at a higher academic level than the students in the program. The student is in a cross-categorical classroom. Staff explained that if a parent insists on a particular placement, they will try to accommodate it. They have brought aspects of the autism program into this student's classroom.

Staff explained that the special education director did not respond to the individual emails but rather, she sends it back to the IEP team to respond. The staff tried to explain to the father the actions taken regarding responses, but they cannot guarantee this was explained on every instance. Staff expressed during the interview that they can start assuring that this happens.

Families receive a copy of the procedural safeguards annually. Normally concerns are addressed through the IEP team and last year they met on several occasions. Staff explained that these specific complaints have been addressed through an IEP meeting and resolved. The procedures were agreed upon and all the appropriate actions have been put in place. The meeting was a direct result of receiving the HRA complaints.

As far as crushing the milk carton, this action has occurred more than once and the student's father was informed each time it occurred. Staff said that the student's father never emailed the principal about the milk but an email could have been sent to the teacher. They also said that, under the circumstances, the teacher could have been told not to respond in favor of routing it to the school principal or IEP team.

### **FINDINGS (Including record review, mandates, and conclusion)**

The HRA reviewed records and policies pertinent to the complaints in this investigation.

#### **Complaint #1 - Student IEP not followed, including a student was unsupervised in crowd.**

The HRA reviewed a Parent Contact Log which read that on 9.24.2013 the student "walked out of lunch room." In the student's IEP dated 9.5.2013, it reads in the supplementary aids, accommodations and modifications sections, that the student is to have "supervision within crowds/crowded areas." In the transportation area of the IEP, it reads "[Student's] dad brings her to and from school. [Student's dad] prefers that [student] is assisted by an adult when outside of the classroom. An adult will assist [student] in the mornings and at the end of the school day to walk her to and from her classroom."

The HRA also reviewed a behavioral intervention plan that was part of an IEP that was held on 12.13.2013. This meeting occurred after the HRA complaint and, according to the additional notes in the IEP, the meeting was held "... to review [student's] progress and consider [father's] concerns about how closely [student's] IEP is followed. In addition, an FBA/BIP [functional behavioral assessment/behavioral intervention plan] will be developed to formalize

interventions for [student's] behaviors.” The behavioral intervention plan has intervention strategies discussed in the interview with staff such as the “Get Ready” spot, use of social stories, and providing picture cues or physical clues. In the additional notes of the meeting, it also states “[student's parent] noted [student] has had several meltdowns in the lunchroom this year when she doesn't like the choice she made for lunch. He has not been told of similar episodes in the past, so he is wondering why she is having issues at lunch now. [Staff], noted that providing [student] with a picture of the food choice is relatively new and she seems to be responding well to the pictures.” The student's elopement was not directly referenced in the student's IEP.

The HRA saw in an email from the parent to a staff member that the parent was told by the student's principal that the staff supervising the cafeteria were “busy with other kids” but the HRA saw no other evidence of that statement.

The HRA received a policy from the facility titled “Education of Children with Disabilities” which reads “The District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by ....” The policy cites the Individuals with Disabilities Education Act, the School Code, the Rehabilitation Act of 1973 and the Americans with Disabilities Act. The facility did not provide a specific policy regarding IEPs.

Illinois' regulations state that "Each school district shall provide special education and related services to eligible children in accordance with their IEPs" (23 Illinois Administrative Code 226.200).

### *Complaint #1 - Conclusion*

It is written into the student's IEP that the student is to be supervised in crowds. The student was able to leave the lunchroom by herself which indicates that, although there is supervision in the lunchroom, the student is not being adequately supervised in crowds. Because of this the HRA finds the complaint **substantiated** but recognizes that the school staff have already begun to resolve the problem by calling an IEP meeting, developing behavior plans and conducting assessments, and implementing actions from the behavioral plan such as showing the student pictures of lunch in an effort to lessen undesired behaviors. **Because of the action already taken, the HRA provides the recommendation that the facility staff continue to assure that the student is being supervised in crowds, such as during lunch and continue to work with the IEP team in keeping the student safe. The HRA also recommends that the incident involving student's elopement from the lunchroom be recorded in the IEP and her potential elopement risk be addressed within the IEP document.**

### **Complaint #2 - Inadequate grievance process.**

The HRA received an email from the school that was addressed to the Director of Special Education from the student's father, on October 8<sup>th</sup>, which explained the incident involving the student leaving the lunch room and the meeting with the staff regarding the event. In the email, it reads that the student's father sent an email to the special education coordinator and “I outlined in great length what had occurred, posed a series of reasonably specific questions relating to the

incident, and asked for an investigation into the matter to acquire the facts.” Later in the email, it was stated that there was a meeting between staff and the student’s father and the email describes the meeting. The email proceeds to explain that “I [student’s father] am asking for your assistance with this matter. I would like this incident and my concerns to be addressed with corrective action and based solely on the facts -- no pie in the sky speculation. These violations must come to an end. I would also like for you to see that an adult is in place to monitor [student] -- as declared in her IEP.”

It was explained to the HRA that the Director of Special Education did not respond to the email but rather forwarded it to the Special Education Coordinator. The HRA did not find evidence that the emails were forwarded.

The HRA reviewed another email sent to staff by the student’s father on 9.25.2014 which referenced the lunchroom incident and states the student’s father is “... asking for an investigation into this matter, assess the facts, and establish safeguards to prevent this from ever happening again. I want clear affirmation that this will not happen again and that corrective action will ensue.” There is a response email from staff inviting the parent to attend a meeting with staff. In the email, the staff member did apologize for the late response and said that she did have to look into the issue before responding.

The HRA also reviewed the procedural safeguards which are to be provided to parents yearly. In the “Complaint Resolution” section of that document, it reads “Concerns with respect to any matter relating to the identification, evaluation or educational placement of a student or the provision of a free, appropriate public education should be directed to the school district. You may file a signed, written complaint with the ISBE, alleging that the rights of your child or several children with disabilities have been violated.”

The HRA reviewed a procedure titled “Uniform Grievance Procedure” which states that “Students, parents/guardians, employees, or community members should notify any District Complaint Manager if they believe that the Board of Education, its employees, or agents have violated their rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding...” and the policy proceeds to name 13 separate regulations. The policy states that the complaint manager will attempt to resolve complaints without “resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably.” The procedure states that “A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager.” The process states “The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with the parent(s)/guardian(s) of a student. The Complaint Manager shall assist the Complainant as needed.” The process proceeds to explain that the Complaint Manager will investigate the complaint or appoint a qualified person to investigate the complaint. Within 10 school days of the complaint being filed, the Complaint Manager shall file a written report of findings with the Superintendent and then within 5 school days after receiving the report, the Superintendent will mail their decision, as well as the Complaint Manager’s report, to the Complainant. From there, the policy describes an appeal process. The final part of the policy deals with appointing complaint managers, who are appointed by the Superintendent.

One of the complaint managers is the Director of Special Education. The grievance policy was found on the website in the Board of Education policies section and was not provided in the school handbook. The HRA saw no mandates or regulations regarding a grievance policy.

### *Conclusion - Complaint #2*

Upon reviewing the situation, the HRA believes that the email sent to school staff and the email sent to the Director of Special Education should have been considered requests to file a grievance. The email stated that the parent wanted an investigation of the situation (which is actually a part of the written grievance process) and requested assistance in the matter. Although the actual word “grievance” was never stated in the emails, the basic request for assistance and an investigation into the situation was implied. Additionally, one of the emails was sent to one of the two district Complaint Managers. The HRA acknowledges that the parents are provided the procedural safeguards which offer a complaint process through the ISBE but contends that in this case the parent chose the internal school process which should have been made available. The situation was not addressed as provided in the facility grievance policy and because of this, the complaint is **substantiated**. **The HRA recommends that that facility review the situation to measure success for how they intervened and if no progress, then investigate as provided in the grievance procedure. The HRA also recommends that the district find a means to inform parents of the availability of the grievance process such as including it in the student handbook. The HRA requests evidence of the review/investigation.**

### **Complaint #3 - Inadequate parent involvement, including school staff not responding to parent communications and a lack of recognition of parental suggestions.**

In the 2<sup>nd</sup> complaint of this report, it was noted that an email sent to the Director of Special Education on 10.8.2013 that, by staff admission, was not responded to by the Director but rather forwarded to other staff.

An email from the parent to staff dated 2.5.2013 reads “Last week, I sent the following e-mail to you and have unfortunately not received a reply. I just wanted to make sure that you received the e-mail so that I know you have the information you need.” There was a response from staff on 2.5.2013 which read “I did receive your email, checked with the people I needed to, and then forgot to email you back! I’m sorry!”

The HRA received another email on 10.11.2013 where the student’s father writes to the school stating that he learned of an incident involving milk and asked what was observed and how it was resolved. The HRA was informed that there was no response to the 10.11.13 email.

The HRA reviewed another email from the student’s father, dated 12.5.2013, to the staff which states that there has been an increase in the student’s behavioral incidents and he had received a handwritten note about them from a teacher. The email proceeds to read “I have asked [staff] – via email, dated Dec. 3<sup>rd</sup> – for clarification as to what preceded/triggered these escalations. I do not have any answers to offer you, as I have not received a reply.”



The HRA also saw a Parent Contact Log which states that there was a meeting on 12.13.2013 which was held to “discuss concerns.” There was another email from 1.15.2013 from the staff to the student’s parent which reads “Thank you again for sending a lunch yesterday and for the idea of giving her a choice of cold lunch.” The HRA would like to add that these examples occurred after the complaint was brought to the attention of the HRA.

The HRA reviewed a note from the staff dated 9.13.13 which reads “Talked to [student’s] Dad about suggestions to help her w/homework. I suggested to help guide her on how to find the answer and then help her form it into a sentence. He said we could work on that but didn’t seem very positive about it working. The time is now and he stated she isn’t comprehending what we are asking.” The HRA saw some instances of the student’s homework where the student’s father did write notes and initialed them with the date.

The HRA reviewed an IEP dated 9.13.11 which read “[Student’s father] was an active member of the IEP team. He asked questions related to the set-up of the classroom and expressed support of instruction going on in the classroom.”

The student’s IEP, dated 9.5.2013, reads “[student’s father] would like to see more visuals within [students] reading materials because she is a visual learner. He has concerns as well about [student’s] reading comprehension.”

In an IEP dated 5.8.2013, it reads “Options that were considered included the autism at Glen Oak, a self-contained cross-categorical classroom at Northmoor, and an inclusion classroom at Thomas Jefferson. [Student’s father] indicated he feels continuing at TJ with some additional supports put in place would be most desirable. Staff agreed.” Another section of the IEP reads “[Student’s parent] noted he would like to see an ABC chart put in place so antecedents can be tracked and interventions planned accordingly. Teachers also said visuals were helpful at the very beginning of the year, but [student] did not use them long.”

The HRA reviewed a community relations policy that is published on the District 150 website titled “Parental Involvement.” The policy states “In order to assure collaborative relationships between students’ families and the Board of Education and District personnel, and to enable parent(s)/guardian(s) to become active partners in education, the Superintendent shall develop administrative procedures to: 1. Keep parent(s)/guardian(s) thoroughly informed about their child’s school and education. 2. Encourage involvement in their child’s school and education. 3. Establish effective two-way communication between all families and the Board of Education and District personnel.” The document proceeds to describe the steps taken to ensure the policy, such as parental feedback on involvement policies, staff training, technical assistance, and establishing a parental advisory committee. In reviewing the District 150 website, there is a section involving parental improvement where the school establishes their commitment to involving parents in student’s academic careers and asks the parents to become more involved in education decisions made to ensure fidelity and shared responsibility. It also illustrates some ways parents can be involved in district wide initiatives. The website also indicates the existence of a parental advisory committee and a staff member to contact if you would like to be involved. The school handbook has a mission statement which reads “The mission of Thomas Jefferson School, a community that honors and embraces diversity, is to ensure an excellent academic

foundation through a nurturing, supportive and safe environment for each child to achieve their highest character development, and partnership with our families and the community.”

In the records, the only mention that the HRA found regarding the parent’s suggestions about putting a tag on the student was in the parent’s email to the Special Education Director, and it was stated that staff told the student’s father they did not want to single her out and also cited HIPPA.

The Federal regulations define an IEP team as "... a group of individuals described in § 300.321 that is responsible for developing, reviewing, or revising an IEP for a child with a disability" (34 CFR 300.23). The Regulations also state "(a) Development of IEP—(1) General. In developing each child's IEP, the IEP Team must consider-- ... (ii) The concerns of the parents for enhancing the education of their child"(34 CFR 300.324).

### *Conclusion - Complaint #3*

There was an email sent to the Director of Special Education on 10.8.2013, that was admittedly not responded to by the Director (although it stated that the email was forwarded to other staff) and yet another email on sent by the student’s father on 10.11.2013 that was not responded to by staff. With these exceptions, evidence seems to indicate that the district is responsive to parental communications and seeks parental involvement, and, because of this, the HRA finds the complaint **unsubstantiated** but the HRA strongly suggests that staff ensure that responses are provided to parental inquiries and that they document parental concerns and how those concerns are addressed in the IEP.

### **Complaint #4 - Staff not following parental request to cease in taking student to a room used for students with behavior problems.**

The HRA reviewed emails between the student’s father and school staff regarding the ACE room. An email from the student’s father questions if all staff members were notified about not sending the student to the ACE room. The email, dated 2.13.2013, read that “An attempt was made to send [student] to the ACE room last November but was thwarted by full occupancy. I want this to be communicated very clearly to [student’s] teachers and those who work with her.” The response from staff, dated 2.17.2013, stated “I did speak with [staff] about not using the ACE Room with [student]. We agreed that if [student] needs to be removed from the classroom and a little time outside the room doesn’t work, she will be escorted to the office. This is not necessarily punitive (and in her case would almost certainly not be punitive) but rather a change to work through the issue without disrupting other students and while still maintaining her dignity.”

The HRA saw no evidence of the request in the IEP.

The Federal regulations regarding IEPs state “(i) In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent of a child with a disability and the public agency may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current

IEP. (ii) If changes are made to the child's IEP in accordance with paragraph (a)(4)(i) of this section, the public agency must ensure that the child's IEP Team is informed of those changes ... (6) Amendments. Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or as provided in paragraph (a)(4) of this section, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated” (34 CFR 300.324).

*Conclusion - Complaint #4*

Emails reviewed indicate that the student’s father requested that the student not be taken into the ACE room, but staff admitted to taking the student into the room after the request. This was a decision that was made outside of the IEP team and it was agreed upon by both parties, and therefore should have been added to the IEP per 34 CFR 300.324. Without documenting the request in the student’s IEP, the HRA finds the school to not be in compliance with the regulations regarding IEP changes and **substantiates** the complaint. The HRA offers the following **recommendation**:

- Assure when a request is made outside of the IEP meeting, that both the IEP team and parent accept the request, and that staff comply with 34 CFR 300.324. The HRA requests evidence of compliance with the regulation.