



December 22, 2020

Sent via US Mail and ePass

THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION

RE: FINAL REPORT for In the Matter of ***** Public Schools, 2020-02, Alleged Violation of the Individuals with Disabilities Education Act (IDEA).

Dear *****:

This is the Final Report pertaining to the above-referenced state special education complaint (Complaint) filed pursuant to the Administrative Rules of Montana (ARM) 10.16.3662. ***** (Complainant) filed the complaint on behalf of special education students, kindergarten through second grade attending an elementary school in the ***** Public School District (District). Complainant alleged the District violated the Individuals with Disabilities Education Improvement Act (IDEA), 20 U.S.C. § 1400 et seq., Montana special education laws, Title 20, Chapter 7, Montana Code Annotated (MCA), and corresponding regulations at Title 34 of the Code of Federal Regulations (CFR), Part 300 and ARM 10.16.3007 et. seq.

The following issues were identified for investigation:

The IDEA, in accordance with Family Educational Rights and Privacy Act (FERPA), requires parental consent before personally identifiable information is released. 34 CFR § 300.622 and 34 CFR part 99. The Office of Public Instruction (OPI) has not received parental consent for the release of information to the Complainant for any of the individual students. Therefore, the Complainant will be provided a redacted version of this Final Report, absent all personally identifiable information. Issues 1-8, pertaining to individual students, will not be shared with the

Complainant, because there is no way to redact the information so that the Complainant would not be able to identify each student.

Individual Student Allegations (Students 1, 2, 3 and 9)

Page 2, which contains personally identifiable information, has been redacted for purposes of submission of this version of the Final Report to the third party complainant. 34 CFR § 300.622 and 34 CFR part 99.

Systemic Allegations

Issue 9: Did the District fail to promptly request parental consent to evaluate a child when the child did not make adequate progress after an appropriate period of time, in violation of 34 CFR § 300.111 and 34 CFR § 300.309(c)?

Issue 10: Did the District provide students special education services prior to being found eligible and prior to receiving parental consent, in violation of 34 CFR § 300.301 and 34 CFR § 300.300(b)?

Issue 11: Did the District fail to provide each parent of a child with disabilities periodic reports of the progress the child made toward meeting the child's annual goals, in violation of 34 CFR § 300.320(a)(3)?

Issue 12: Did the District fail to provide students with disabilities in Complainant's classroom the specially designed instruction identified on their IEPs, as required by 34 CFR § 300.323?

A. Procedural History

On October 23, 2020, the Montana Office of Public Instruction (OPI) received a signed Complaint and documentation from the Complainant, and a copy of the Complaint was provided to the District. The Complaint was deemed filed on October 23, 2020. Montana law provides the Early Assistance Program may attempt to resolve the issues alleged in a complaint. However, the OPI was unable to discuss potential resolution on behalf of the individual students with Complainant, due to student privacy concerns. Therefore, it was determined any attempt to mutually resolve the Complaint would be futile and the Dispute Resolution Office proceeded according to the procedures and timelines set out in 34 CFR § 300.151 through 300.153 and ARM 10.16.3662. ARM 10.16.3660(4).

The District filed its Response on November 20, 2020, and additional documentation was provided the week of December 7, 2020. The Complainant also provided additional documentation.

An appointed investigator conducted telephone interviews with the Complainant and with District staff, including the special education director, **** school principal, and **** school instructional coach, during which the District's attorney was present. Additionally, a statement was received from **** school special education teacher. The investigator reviewed all the documentation received from the parties.

B. Legal Framework

The OPI is authorized to address alleged violations of the IDEA and Montana special education laws through the special education state complaint process, as outlined in 34 CFR § 300.151-153 and ARM 10.16.3662, which occurred not more than one year prior to the date of the complaint is received. Pursuant to 34 CFR § 300.151-153 and ARM 10.16.3662, all relevant information is reviewed, and an independent determination is made as to whether a violation of federal or state statute, regulation or rule occurred. Any references to facts outside of the one-year timeframe from October 23, 2019, to October 23, 2020, is only for contextual purposes.

C. Introduction

Complainant has standing to file this Complaint pursuant to ARM 10.16.3661. Complainant, a former special education teacher in the District, filed a complaint specific to four students, as well as a systemic complaint, regarding the provision of special education and related services in Complainant's special education classroom within the District. Complainant alleged violations that occurred during the 2019-2020 school year.

The special education files for ten students in the identified classroom were reviewed. Each student will be identified as Student 1 through 10. The allegations specific to four students (Students 1, 2, 3, and 9) will be discussed individually in this Complaint.

Pages 4-21, which contain personally identifiable information, have been redacted for purposes of submission of this version of the Final Report to the third party complainant. 34 CFR § 300.622 and 34 CFR part 99.

Systemic Allegations

In addition to the individual allegations discussed above, Complainant asserted several systemic violations occurred in Complainant's special education classroom.

Issue 9: Did the District fail to promptly request parental consent to evaluate a child when the child did not make adequate progress after an appropriate period of time, in violation of 34 CFR § 300.111 and 34 CFR § 300.309(c)?

Complainant's allegations: The Response to Intervention (RtI) process in the District is being used solely as a means to seriously delay the referral, evaluation, and possible identification of students with disabilities. The District utilized the RtI process to place general education students into the special education classroom.

District's response: The District follows a district-wide Response to Intervention and Multi-Tiered System of Supports for a full comprehensive referral and support system.

Facts

1. The District has an RtI/MTSS system in place at the **** school (District Response).
2. As part of the RtI process, students take monthly assessments to determine whether interventions have increased skill levels. (Interview, Instructional Coach).
3. Classroom teachers meet with their grade level teams on a monthly basis to review student data, review student improvement levels and discuss possible interventions to help students progress. (Interview, Instructional Coach).
4. The special education teachers are invited to the grade level team meetings. The Complainant did not attend the grade level team meetings. (Interview, Instructional Coach).
5. When it is determined that a particular student is not progressing the student may be referred to an intervention class, consisting of a smaller class size, more adult interaction, and additional one-on-one support, with a focus on skill building. (Interview, Instructional Coach).
6. If it is determined that a student is not making progress in the core program through the intervention class, the student may be referred to Tier 3 supports, which are located in the special education resource room. (Interview, Instructional Coach).
 - a. Paraprofessionals provided the Tier 3 instruction in the special education classroom. (Interview, Complaint).
 - b. Paraprofessionals assessed the students receiving Tier 3 instruction in the special education classroom. (Assessment summary received by Complainant from paraprofessional on 11/26/19).
7. As part of the Tier 3 interventions provided in the special education resource room, students receive direct instruction through Reading Mastery and Connecting Math, two methodologies that are in addition to the reading and math programs provided in the general education classrooms. (Interview, Instructional Coach).

8. As part of the RtI/MTSS system, the school holds Tier 3 academic meetings with its staff several times a year to discuss those students not making sufficient progress in the intervention class. (Instructional Coach Email 11/05/19; Interview, Instructional Coach).
9. A Tier 3 Academic Meeting was held on 11/05/19 and an email was forwarded to the participants, including Complainant. The email summarized the results of the meeting. At this meeting:
 - a. Three students were identified as needing a referral for a special education evaluation, after checking with the school psychologist.
 - b. One student was identified as needing an IEP amendment to the general education setting for reading.
 - c. Four students were identified as needing to continue receiving reading and math instruction in the special education resource room, with a check on progress after winter break.
 - d. Two students were identified as needing to be monitored in their current setting. (Instructional Coach Email, 11/05/19).
10. Two of the students listed on the email dated 11/05/19 for a special education evaluation were referred. (Instructional Coach Email, 11/05/19; Complainant's Handwritten Note).

Note: Complainant also raised an allegation of a violation of accreditation regulation ARM 10.55.715, that general education students received direct instruction as part of Tier 3 interventions from paraprofessionals that were not directly supervised by a licensed teacher. This allegation is on behalf of general education students and is not within the jurisdiction of this state complaint process.

Legal Analysis

Response to Intervention (RtI) is used to describe a general education systematic problem-solving process with a coordinated system of early intervening services designed to allow for early recognition of students' difficulties, and to provide for a data-based method for evaluating the effectiveness of the instructional approaches used. A three-tiered model is typically used, consisting of: Tier 1: instructional strategies or interventions used with an entire classroom or school; Tier 2: interventions used with small groups of students with similar instructional needs; and Tier 3: interventions for students who did not respond to Tier 2 interventions and need instruction designed to meet their specific individual needs. *Special Education in Montana*, (OPI 2020, p. 81).

The child find requirements in 34 CFR § 300.111 require that all children with disabilities who

are in need of special education and related services be identified, located and evaluated. If a child has not made adequate progress after an appropriate period of time, a referral for a special education evaluation must be made. 34 CFR §300.309(c). The regulations do not specify a timeline for using RtI, nor do they define “adequate progress.” *Questions and Answers on Response to Intervention and Early Intervening Services (Q and A)*, (OSERS 2007, p. 8).

Conclusion

The documentation and information received through interviews reveals that the District has an RtI process in place that provides increasingly more intensive instruction, resulting in some general education students who have failed to show sufficient progress in Tiers 1 and 2 being referred to Tier 3 and receiving individualized instruction in the special education classroom.

Further, the District has a process in place to collect and review student data and make informed decisions regarding the need to refer certain students for a special education evaluation. This process follows the child find mandates in 34 CFR § 300.111 and the requirement in 34 CFR §300.309(c) to refer a child for an evaluation who is not making adequate progress after an appropriate period of time. The District’s actions **do not rise to the level of a systemic violation of Part B of the IDEA.**

Issue 10: Did the District provide students special education services prior to being found eligible and prior to receiving parental consent, in violation of 34 CFR § 300.301 and 34 CFR § 300.300(b)?

Complainant’s allegations: General education students were placed into the special education self-contained classroom without parent permission.

District response: The District provided Tier 3 interventions to certain identified general education students in the special education classroom.

Findings

1. All of the Findings discussed above are incorporated herein by reference.
2. As part of the Tier 3 interventions provided in the special education resource room, students receive direct instruction through Reading Mastery and Connecting Math, two methodologies that are in addition to the reading and math programs provided in the general education classrooms. (Interview, Instructional Coach).
3. The two methodologies used in the Tier 3 interventions can be viewed as either general education or special education, depending on the needs of each student. (Interview, Special Education Director).

Legal Analysis

Each district is required to conduct a full and individual initial evaluation before the initial provision of special education and related services are provided to a student with disabilities. 34 CFR § 300.301.

If a student is found to be eligible for special education and related services, those services cannot be provided without parental consent after completing an evaluation and eligibility determination. 34 C.F.R. §§ 300.300(b), 300.301(a), and 300.306. *See also Letter to Zirkel*, 73 IDELR 241 (OSEP 2019).

Conclusion

As discussed above in Issue 10, certain general education students received Tier 3 interventions in the special education resource room, due to their need for more intensive, individualized interventions. Reading Mastery and Connecting Math were utilized as the direct instruction methodologies. For those students receiving Tier 3 interventions, the programs provided general education direct instruction. The District's actions **do not rise to the level of a systemic violation of Part B of the IDEA.**

Issue 11: Did the District fail to provide each parent of a child with disabilities periodic reports of the progress the child made toward meeting the child's annual goals, in violation of 34 CFR § 300.320(a)(3)?

Complainant's allegations: The speech language pathologist did not complete any progress reports, and progress reports have not been completed for years.

District response: Progress reports were completed, including by the speech language pathologist.

Findings

1. All of the Findings discussed above are incorporated herein by reference.
2. The District divides its school year into quarters, and at the end of each quarter, students receive report cards. (Interview, Principal).
3. The end of each quarter varies year-by-year, but typically, each quarter ends around the end of October, mid-January, the end of March, and the end of May. (Interview, Principal; District Calendar).
4. The following Progress Report Chart identifies Students 1 through 10 and the District's provision of progress reports.

Pages 25-26, containing the Progress Report Chart with personally identifiable information, have been redacted for purposes of submission of this version of the Final Report to the third party complainant. 34 CFR § 300.622 and 34 CFR part 99.

1. The parents of Students 5 and 8 were not entitled to receive quarterly progress reports from the District.
2. The parents of Students 1, 2, 3, 4, 6, 7, 9, and 10 received a 1st Quarter progress report for the 2019-2020 school year.
3. The 1st Quarter progress reports for Students 3 and 10 dated 10/28/19 did not include the progress reporting from the speech language pathologist, but a subsequent progress report was provided to the parents with that information on 11/16/19.
4. The parents of Students 2, 4, and 7 did not receive a 2nd Quarter progress report for the 2019-2020 school year.
5. The 2nd Quarter progress report for Student 9 dated 1/10/20 was incomplete.
 - a. The progress report did not provide any progress information towards the math, reading self-help/independence, social/emotional/behavioral or written expression goals.
 - b. The progress report did provide progress information regarding communication goals.
6. On 3/16/20, the District instituted an emergency school closure due to the COVID-19, which continued through the end of the 2019-2020 school year. (Special Education Director Email, 12/12/20).
 - a. On 3/18/20, District staff telephoned the parents/guardians of those students on an IEP and informed them that packets were created to address IEP goals.
 - b. For those students not at a level to complete handwritten packets, learning manipulatives/materials were provided to address their IEP goals. For those students without internet, a copy of the lessons was available.
 - c. Each teacher's phone number and email address were provided to the parents/guardians.
 - d. The special education case manager scheduled regular phone calls to check in on progress and answer questions. (Special Education Director Email, 12/12/20).
7. The Parents of Students 1, 2, 3, 4, 6, 7, 9, and 10 did not receive a 3rd Quarter progress report for the 2019-2020 school year.

8. The Parents of Students 1, 2, 3, 4, 6, 7, 9, and 10 received a 4th quarter progress report in May 2020.
 - a. For Students 1, 3, 4, 9 and 10, the information provided to parents consisted of data that was collected prior to the emergency closure on 3/16/20, due to the COVID-19 pandemic.
 - b. For Students 2 and 7, the progress reports included progress information received from the parents/guardians during the emergency school closure.
 - c. For Student 4, the information provided to parents included the percentage of meeting the goals in math, reading and written expression. It was not possible to collect accurate data for the communication goals during the emergency school closure.
 - d. For Student 6, the progress report informed the parents that the goals had not yet started due to the emergency closure and because the IEP was developed at the end of the school year.

Legal Analysis

Each child's IEP must identify when periodic reports on the progress the child is making toward meeting the annual goals will be provided, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards. 34 CFR §300.320(a)(3)(ii)

Conclusion

Although the Complainant alleged that the District failed to complete progress reports have for years, this issue is limited to progress reporting during the 2019-2020 school year.

For the 1st Quarter of the 2019-20 school year, the District provided progress reports to the parents of Students 1, 2, 3, 4, 6, 7, 9, and 10.

For the 2nd Quarter of the 2019-2020 school year, the District failed to provide progress reports to the parents of Students 2, 4, and 7, and failed to provide a complete progress report to the parents of Student 9.

For the 3rd Quarter of the 2019-2020 school year, the District failed to provide progress reports to the parents of Students 1, 2, 3, 4, 6, 7, 9, and 10.

For the 4th Quarter of the 2019-2020 school year, the District provided progress reports to the parents of Students 1, 2, 3, 4, 6, 7, 9, and 10, although the majority of the information provided to parents was collected prior to the emergency school closure that began on 3/16/20.

While the COVID-19 pandemic caused unforeseen and extraordinary circumstances which resulted in an emergency school closure, no IDEA requirements were waived, and the District continued to be required to provide periodic progress reports to parents, as identified on each

child's IEP.

While the District provided the progress reports to the students' parents during the 1st and 4th Quarters of the 2019-2020 school year, it failed to provide completed progress reports to four students during 2nd Quarter and failed to provide any progress reports for 3rd Quarter. **This failure rises to the level of a systemic violation of Part B of the IDEA.**

Issue 12: Did the District fail to provide students with disabilities in Complainant's classroom the specially designed instruction identified on their IEPs, as required by 34 CFR § 300.323?

Complainant's allegations: The placement of general education students into the special education classroom for reading and math instruction resulted in taking away service minutes provided by the special education teacher and paraprofessionals of all the special education students in the classroom.

The Complainant was provided insufficient paraprofessional support in the special education classroom, and she was unable to provide the students with their special education minutes.

District's response: Students identified for special education services were provided their service minutes.

Findings

1. All of the Findings discussed above are incorporated herein by reference.
2. Complainant was hired at the beginning of the 2019-2020 school year as the special education teacher in the resource room at the **** school. (Interview, Complainant).
3. At the beginning of the 2019-2020 school year, there were approximately 10 students in the resource room, although several of the students only attended part time. (Interview, Complainant; Interview, Principal).
4. At the beginning of the 2019-2020 school year, two paraprofessionals were assigned to the special education classroom. The two paraprofessionals were not available in the classroom for a portion of the day, as they were needed on the school bus when two of the students assigned to the Complainant's classroom were being transported. (Interview, Complainant).
5. The Complainant ensured that the special education students assigned to her classroom were receiving instruction in their pull-out subject areas by weaving two subject areas into one to cover their needs, when there was insufficient paraprofessional assistance. (Complainant Email, 10/11/19).

6. Two additional paraprofessionals were subsequently assigned to Complainant's classroom in mid-October 2019, and the Complainant provided training to the new paraprofessionals. (Complainant Email, 10/11/19).
7. The Tier 3 general education students receiving interventions in the special education classroom resulted in schedule changes in the classroom and reallocation of paraprofessional time to teach Reading Mastery and Connecting Math to those students. (Complainant Emails, 10/28/19 at 1:09 PM; 10/28/19 at 6:20 PM; 10/29/19; 10/30/19; 10/31/19).
8. The Complainant was concerned the service minutes of students identified for special education were not being met due to changes that had occurred with the schedule. (Complainant Email, 10/31/19).
9. The District was unable to provide any documentation of the service minutes provided to the special education students by the special education teacher and paraprofessionals. The progress reports that were provided, as set out in Issue 11, identified student goals that were addressed.
9. The last day the Complainant was in the special education classroom was 11/26/2019.
10. The last day of school for the 2019-2020 school year was 5/29/2020.

Legal Analysis

As soon as possible following the development of an IEP, the special education and related services must be made available to the child in accordance with the child's IEP. 34 CFR § 300.323(c)(2). School districts are required to ensure that students' IEPs are implemented by each regular education teacher, special education teacher, the related services provider, and any other service provider responsible for its implementation. 34 CFR § 300.323(d).

A district must implement a student's IEP with all required components. 34 CFR §300.323(c). However, this implementation mandate does not mean that a district must perfectly implement a student's IEP to provide the student with FAPE. A district's failure to implement a student's IEP will constitute an IDEA violation only if the defect was material. A material failure occurs when the services a school provides a child with a disability fall significantly short of the services required by the child's IEP. *Van Duyn v. Baker School District 5J*, 502 F.3d 811, 822, 47 IDELR 182 (9th Cir. 2007). A minor discrepancy between the services provided and the services required under the IEP is not enough to amount to a denial of FAPE. *See I.Z.M. v. Rosemount-Apple Valley-Eagan Pub. Schs.*, 863 F.3d 966, 70 IDELR 86 (8th Cir. 2017).

A district can establish substantial compliance by showing that the student made progress toward

achieving his goals, showed improvement in his grades, and received passing scores on state assessments. *A.P. v. Woodstock Bd. of Educ.*, 370 Fed.Appx. 202, 55 IDELR 61 (2d Cir. 2010, unpublished).

If a school district closes its schools to slow or stop the spread of COVID-19, there may be exceptional circumstances that could affect how a particular service is provided to a student. An IEP team would be required to make an individualized determination as to whether educational services can be provided. If a student does not receive services after an extended period of time, an IEP team would be required to make an individualized determination whether and to what extent compensatory services may be needed, including to make-up for any skills that may have been lost. *Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak* (OSEP 2020).

If a school district continues to provide educational opportunities to the general student population during a school closure, the school must ensure that students with disabilities also have equal access to the same opportunities, including the provision of FAPE. To the greatest extent possible, each student with a disability must be provided the special education and related services identified in the student's IEP. *Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak* (OSEP 2020, p. 2).

Conclusions

Although the District did not provide documentation of the special education services provided to each student, the progress reports for the 1st Quarter of the 2019-2020 school year identified the data and provided a description as to each student's progress toward goals and identified whether the student was expected to meet the goal, had met the goal, was not expected to meet the goal, or if the goal had not yet been started. The information set forth in the 1st Quarter progress reports shows that the District substantially complied with providing the special education and related services to each student.

However, for the 2nd, 3rd, and 4th Quarters, the Progress Report Chart establishes that the District was inconsistent in documenting student progress, which in turn resulted in a failure to show that the District substantially complied with the requirement to provide special education services to each student, **which rises to the level of a systemic violation of Part B of the IDEA.**

Corrective Action Plan

It has been determined that the District is out of compliance in violation of the IDEA. The following corrective actions are required to be completed by the District as set forth below.

Student 3

Training, as identified below.

Student 9

Training, as identified below.

Systemic Issues

Review of Student Progress

The District shall develop a process for elementary direct service providers (special education teachers and paraprofessionals) documenting the provision of services to students. This process must include the following:

- a. Develop a progress monitoring form that includes: student name, date, location, skill or goal worked on, and a way to record the overall score on the skill or goal that was worked on with the student. The form must be submitted for approval to the Early Assistance Program Director **by January 18, 2021.**
- b. The District shall determine where the progress monitoring forms will be stored and report the determination to the Early Assistance Program Director by **January 18, 2021.**
- c. The information on the progress monitoring forms will be used to fill out progress reports at the end of the progress reporting period for each student.
- d. Each month, beginning February of 2021, the Special Education Director shall check all progress monitoring forms for two students per elementary case manager. The Special Education Director shall ensure the direct service minutes provided line up with the amount specified on the student's IEPs. The Special Education Director shall submit a report to the Early Assistance Program Director each month detailing the findings of the monthly consistency checks from **February 2021 through October 2021.**
- e. For each elementary case manager, the District shall provide the following to the Early Assistance Program Director **at the end of the third and fourth quarters of 2020-2021 school year and at the end of the first quarter of the 2021-2022 school year:**
 - i. Two students' progress reports and all of the corresponding progress monitoring forms;
 - ii. A report detailing the direct service minutes were provided and the progress and the progress reports included data from the progress monitoring forms.

Required Staff Training

The District shall arrange for all elementary District administrators, special education staff, general education staff and related service providers to participate in professional development training by **March 31, 2021**, with an OPI trainer. In order to schedule the training, please reach out to Dale Kimmet, OPI School Improvement/Compliance Unit Manager.

At a minimum, the training shall cover the following topics:

- IEP development process and timelines
- IEP amendment process
- Required IEP team membership, including:
 - The general education teacher
 - The parent
 - Requirement to document attempts to encourage parents to attend
- IEP team attendance excusal process
- Requirements regarding periodic progress reports
- Data collection requirements for periodic reporting of student progress
- Responsibility to implement IEP
- Maintaining the security of special education records
- Extended school year requirements

Participants must sign in at the training and the original sign in sheet shall be filed with the Early Assistance Director by the OPI Trainer along with a copy of the training materials.

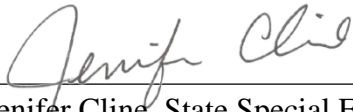
Compensatory Services

The U.S. Department of Education stated IEP teams are required to make an individualized determination as to whether and to what extent compensatory services may be needed, including to make up for any skills that may have been lost during the time of school building closure due to the COVID-19 pandemic. *Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak* (OSEP 2020 p. 3). Until schools resume normal operations, making determinations about COVID-19 compensatory services may be premature. Schools will need a reasonable amount of time to collect data on the student as to what his or her present performance levels are, before IEP Teams can contemplate if compensatory services will be necessary. *OPI COVID-19 Compensatory Services State Guidance, August 24, 2020*¹. The school building closure due to the pandemic began on March 16, 2020. This was near the end of the third quarter. The school building closure continued through the end of the school year.

The District shall provide documentation to the Early Assistance Program Director on its determination of compensatory services for students 1, 2, 3, 4, 6, 7, 9, and 10 **by January 18, 2021**. If the District has not made a determination, they shall provide an explanation as to why and when such a determination will be made.

For Students 2, 4, 7 and 9, the District provided incomplete progress reporting and no additional evidence of substantial compliance with the requirement to provide special education services for the second quarter. Therefore, if compensatory services have not yet been determined for these students, the IEP teams shall also include the time period covering the second quarter in

discussions of the necessity of compensatory services. If a determination has already been made by the District, the OPI will review the determination and consider whether further action is required.



Jenifer Cline, State Special Education Director
Student Support Services Department

- c: Mandi Gibbs, Dispute Resolution/EAP Director (via ePass only)
- Dale Kimmet, OPI School Improvement/Compliance Unit Manager (via ePass only)
- ****, District Special Education Director
- ****, School District Attorney (via ePass only)
- ****, Complainant (Redacted version via ePass and USPS Mail)

¹ <http://opi.mt.gov/Educators/Teaching-Learning/Special-Education/COVID-19-Special-Education-Information#9384510879-covid-19-compensatory-services---updated-8242020>.