

Colorado Department of Education
Decision of the Federal Complaints Officer
Under the Individuals with Disabilities Education Act (IDEA)

Federal Complaint 2002:512

Mountain BOCES

Decision

INTRODUCTION

By letter dated May 14, 2002, and received by the Federal Complaints Officer on May 21, 2002, the complainants filed their Complaint. The school district's response was dated June 10, 2002, and received by fax on June 11, 2002, and by regular mail, with attachments, on June 14, 2002. By letter dated June 11, 2002, and received by certified mailing by the complainants on June 14, 2002, the complainants were provided with ten (10) calendar days to respond to the school district's response to their Complaint. The complainants filed no response. The Federal Complaints Officer closes the record, as dated by this Decision.

COMPLAINANTS' ALLEGATION

The complainants alleged they had not received any progress reports for their son during his middle school years.

SCHOOL DISTRICT'S RESPONSE

The school district stated that progress reports had been sent home with the student during his sixth grade year for terms two (2) through six (6), but that such reports had not been placed in the student's confidential file. The school district also stated that no progress reports had been completed for the beginning part of the student's seventh (7th) grade year, because the teacher at that time did not prepare such reports. The school district stated that a new teacher had been hired at mid-year and that the required reports were now being prepared. The school district further stated that a new procedure had been established for filing such reports in students' confidential files, and for mailing them home.

FINDINGS AND DISCUSSION

The Federal Complaints Officer finds that the school district has acknowledged that appropriate procedures were not in place for the handling of student progress reports, and that this student did not have any such reports prepared for the beginning part of his seventh grade year. The Federal Complaints Officer also finds that the school district has initiated a new procedure to avoid reoccurrence of this problem.

REMEDY

The Federal Complaints Officer accepts the statement of the school district that the remedy has already been initiated as stated in its response to the Complaint. Therefore, the Federal Complaints Officer finds that no other remedy is necessary, and therefore none is ordered.

CONCLUSION

This Decision is final as dated by the signature of the Federal Complaints Officer. A copy of the appeal procedure is attached.

Dated today, July _____, 2002.

Charles M. Masner, Esq.
Federal Complaints Officer