

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

State-Level Complaint 2024:577

Ute Pass BOCES

DECISION

INTRODUCTION

On July 22, 2024, the parent (“Parent”) of a student (“Student”) identified as a child with a disability under the Individuals with Disabilities Education Act (“IDEA”)¹ filed a state-level complaint (“Complaint”) against Ute Pass BOCES (“BOCES”) and concerning its member district, Woodland Park School District (“District”). The Colorado Department of Education (“CDE”) determined that the Complaint identified one allegation subject to the jurisdiction of the state-level complaint process under the IDEA and its implementing regulations at 34 C.F.R. §§ 300.151 through 300.153. Therefore, the CDE has jurisdiction to resolve the Complaint.

The CDE’s goal with this investigation and written decision is to build capacity among all participants in the special education process and to provide opportunities for professional growth to educators. The CDE views the state complaint process as an opportunity for participants in the IEP process to learn about special education, identify points for improvement, and tap available resources, all to improve outcomes for students with disabilities.

RELEVANT TIME PERIOD

The CDE has the authority to investigate alleged noncompliance that occurred no earlier than one year before the date the Complaint was filed. 34 C.F.R. § 300.153(c). Accordingly, findings of noncompliance shall be limited to events occurring after July 22, 2023. Information prior to July 22, 2023 may be considered to fully investigate all allegations.

SUMMARY OF COMPLAINT ALLEGATIONS

The Complaint raises the following allegation subject to the CDE’s jurisdiction under 34 C.F.R. § 300.153(b)² of the IDEA:

1. BOCES did not ensure Student’s teachers implementing the special education and related services in his Individualized Education Program (“IEP”) possessed the required

¹ The IDEA is codified at 20 U.S.C. § 1400, et seq. The corresponding IDEA regulations are found at 34 C.F.R. § 300.1, et seq. The Exceptional Children’s Education Act (“ECEA”) governs IDEA implementation in Colorado.

² The CDE’s state complaint investigation will determine if BOCES complied with the IDEA, and if not, whether the noncompliance resulted in a denial of a free appropriate public education (“FAPE”). 34 C.F.R. §§ 300.17, 300.101, 300.151-300.153.

certifications and licenses during the 2023-2024 academic year, as required by 34 C.F.R. §§ 300.156 and 300.207, and ECEA Rule 3.04.

FINDINGS OF FACT

After thorough and careful analysis of the entire Record,³ the CDE makes the following findings of fact (“FF”):

A. Background

1. Student is nine years old and, during the 2023-2024 school year, was a second grader at a school (“School”) in District, a member district of BOCES. *Exhibit A*, p. 2. BOCES is responsible for providing FAPE to all IDEA-eligible children with disabilities attending school in its member districts. ECEA Rule 2.02. According to an August 2024 press release, the BOCES will dissolve following the 2024-2025 school year. *CDE Exhibit 1*. Regardless, during the period relevant to this Complaint, the District was and remains a member of BOCES. *Id.*
2. During the majority of the 2023-2024 school year, Student was eligible for special education and related services under the disability category of Developmental Delay. *Exhibit A*, p. 2. As of April 2, 2024, Student is eligible under the primary disability category of a specific learning disability (“SLD”). *Id.* at pp. 2, 19, 21.
3. Student is consistently described as kind, well-liked, and very hardworking. *Id.* at p. 21; *Interviews with School’s general education interventionist (“Interventionist”), Affective Needs teacher (“AN Teacher”), and Parent*. He struggles with communication and significant academic deficits in reading, writing, and math. *Exhibit A*, pp. 21-24, 30; *Interview with Parent*.
4. Parent is concerned that Interventionist, who was responsible for providing Student’s specialized academic instruction under his IEPs during the 2023-2024 school year, did not possess the required special education licensure and/or certifications to deliver specialized instruction to Student. *Complaint*, p. 2; *Interview with Parent*. BOCES asserts that Interventionist “was an appropriately licensed teacher” and was “trained, directed, and supervised” by a licensed special education teacher—School’s IEP Facilitator, who also served as Student’s Case Manager (“Case Manager”). *Response*, pp. 1-2. Therefore, BOCES argues it provided a FAPE to Student “through an IEP implemented by appropriately licensed personnel.” *Id.* at p. 2.

B. 2023 IEP

5. Student’s IEP in effect at the beginning of the 2023-2024 school year was dated April 3, 2023 (“2023 IEP”). *Exhibit A*, pp. 2-17.

³ The appendix, attached and incorporated by reference, details the entire Record.

6. The 2023 IEP describes Student’s present levels of performance, including teacher concerns around Student’s progress in reading, writing, and math. *Id.* at pp. 4-9.
7. The 2023 IEP also describes the impact of Student’s disability on his involvement in the general curriculum, noting Student’s “difficulty with communication impacts his ability to be understood by others, which will impact his ability to clearly communicate wants, needs, thoughts, and emotions.” *Id.* Student also “struggles with his ability to read fluently and solve basic level math questions” and “needs specially designated instruction in the areas of reading and math with classroom accommodations to support his ability to access grade level standards.” *Id.* at p. 10.
8. The 2023 IEP includes six annual goals, two each in the areas of Communication and Mathematics and one each in the areas of Reading and Writing. *Id.* at pp. 10-13.
9. The 2023 IEP includes eight accommodations to ensure Student can access and make effective progress in the general curriculum. *Id.* at p. 30.
10. The 2023 IEP’s service delivery statement identified the following services, all provided outside the general education setting:
 - 180 minutes per week of direct specialized instruction from a “special education teacher or special education staff”;
 - 15 minutes per month of indirect consultation services by the special education teacher with Student’s other providers; and
 - 120 minutes per month of direct speech-language services from a Speech Language Pathologist (“SLP”).

Id. at p. 15.

11. The 2023 IEP reflects that it was appropriate for Student to be in general education at least 80% of the time. *Id.* at p. 16. The IEP Team determined this was the most appropriate placement because Student could “have access to grade-level curriculum amongst his grade-level peers for the majority of the day. Yet, he still gets specialized instruction through special education support.” *Id.* The Team considered the option of adding more specialized instruction to Student’s services but rejected that option because “Student continues to make progress toward his goals,” though “the rate in which he is progressing is quite belabored.” *Id.* at pp. 16-17.

C. Mild/Moderate Program

12. Student participates in School’s mild/moderate program, which provides specialized support to students with disabilities to enable them to make progress in the general education curriculum. *Interview with BOCES’ Special Education Director (“Director”).* During the 2023-

2024 school year, which comprised 36 weeks of instruction, School's mild/moderate program served 24 students, including Student. *Interviews with Director, Case Manager, and Interventionist; see Exhibit M-1, p. 1; Exhibit O.*

13. In the Spring of 2023, District posted two positions for special education teachers in the mild/moderate program. *Response, p. 2; Interview with Director.* Due to a lack of qualified applicants for those positions over the summer of 2023, District leadership, in coordination with Director, "thoughtfully and intentionally agreed to investigate hiring a licensed general education teacher as an interventionist to provide direct academic specially designed instruction under the supervision of a licensed special education teacher . . . for the students [in School's mild/moderate program] on IEPs who required specialized academic instruction." *Response, p. 2.* District then posted a position for a general education interventionist, in addition to the special education teacher positions. *Response, p. 3; Interview with Director.*
14. In August 2023, there was only one qualified applicant each for the special education teacher and general education interventionist positions—Case Manager was hired for one of the posted special education teacher positions, and Interventionist was hired for the general education interventionist position. *Response, p. 3; Interview with Director.*

D. Teacher Certification and Licensure

15. During the 2023-2024 school year, Case Manager possessed a valid Colorado professional teacher license with an endorsement as a special education generalist. *Exhibit H, p. 3; Interview with Case Manager.*
16. During the 2023-2024 school year, Interventionist possessed a valid Colorado professional teacher license with an endorsement in elementary education. *Exhibit H, p. 4; Interview with Interventionist.* Interventionist did not, however, possess any license or certification in special education. *Id.* At the time of her hiring, Interventionist also did not have any prior experience or training in special education, although she participated in several relevant BOCES-provided trainings during the 2023-2024 school year. *Interviews with Director and Interventionist.*
17. In March 2024, BOCES hired AN Teacher for a position in School's AN program, who also supported the mild/moderate program and provided Student's specialized instruction in math under his 2024 IEP. *Response, p. 4; Interviews with Director and AN Teacher.* During the 2023-2024 school year, AN Teacher possessed a valid Colorado interim authorization teacher license with an endorsement as a special education generalist. *Exhibit H, p. 8; Interview with AN Teacher.*

E. BOCES' Policies, Practices, and Procedures

18. BOCES' Special Education Manual ("the Manual") details the responsibilities and expectations of all case managers and service providers around case management and implementation of IEPs. *See Exhibit N.* At the beginning of each school year, the Manual is shared with all special

education case managers and providers, and training is provided on its procedures. *Interview with Director*. Case Manager and Interventionist both received and reviewed the Manual at the beginning of the 2023-2024 school year and received training on its procedures. *Interviews with Case Manager and Interventionist*.

19. The Manual does not include, and BOCES does not otherwise have, written policies governing certification and licensure requirements for special education providers. *Interview with Director*. However, Director reported that BOCES follows all relevant IDEA and state-level requirements for teacher certification and credibly described those requirements. *Id.*
20. Each of the BOCES' three member districts hires its own special education teachers, and Director works closely with school principals and Human Resources to verify and monitor teachers' licensures and certifications, both at the time of hiring and throughout their employment with BOCES. *Id.* As part of the hiring process for the special education teacher positions in the Spring/Summer of 2023, Director routinely reviewed the applications, and District rejected at least one individual who applied without possessing the appropriate licensure. *Id.*

F. Case Manager-Interventionist Service Model

21. Director described the BOCES' Case Manager-Interventionist service model for the mild/moderate program as a "Plan B"—a conscious decision made by BOCES' leadership when faced with the shortage of qualified applicants for the special education teacher positions prior to the start of the 2023-2024 school year. *Response*, p. 2; *Interview with Director*. Given these circumstances, BOCES "designed a plan for [Interventionist] to provide direct instruction in reading, writing, and math under the supervision of, and regular consultation with, [Case Manager,] the licensed special education teacher." *Id.* BOCES asserts that, according to the allowable uses of IDEA federal special education funds, "general education interventionists are allowed to deliver intervention services to students with disabilities under the supervision of special educators." *Response*, pp. 2-3.
22. Under this service model, Case Manager would "oversee, consult with, and coordinate with [Interventionist] in accordance with the student's IEP" for all students in the mild/moderate program. *Id.* at p. 2. Specifically, Case Manager was responsible for

reviewing the current IEPs, including reviewing them with [Interventionist]; scheduling, coordinating and facilitating IEP meetings; coordinating, consulting with and directing [Interventionist] on the direct instruction; tracking students' growth and progress on their IEP goals at least quarterly with the general education teacher; providing progress reports to parents at least quarterly (or more frequently if requested); and consulting weekly with the general and special education teachers and administrators on various matters including instruction.

Id. at p. 3. Case Manager also served as case manager for all 24 students in the mild/moderate program at School, as well as for nine students at a separate school in District. *Interview with Case Manager.*

23. Case Manager did not provide any direct instruction to students during the 2023-2024 school year. *Id.* Case Manager observed students in the general education setting as part of her case management duties, but did not observe or supervise Interventionist's classroom instruction of students. *Interviews with Case Manager and Interventionist.* While both Case Manager and Interventionist received relevant BOCES-provided trainings over the course of the school year, Case Manager did not provide any direct training to Interventionist. *Interviews with Case Manager and Interventionist.*
24. Interventionist was responsible for providing all direct specialized academic instruction under each student's IEP in the mild/moderate program. *Response*, p. 4; *Interviews with Director and Interventionist.* Specifically, Interventionist provided each student between 160 and 375 minutes per week of specialized instruction in reading, writing, and math outside the general education setting to address between one and seven IEP annual goals. *See Exhibit A*, pp. 15, 38; *Exhibit M.* Interventionist was also responsible for developing the lesson planning based on each student's IEP goals and current progress and collecting the raw assessment data for progress reporting. *Interview with Interventionist.*
25. Case Manager and Interventionist met weekly to review students' progress on IEP goals and discuss any concerns. *Response*, p. 4; *Interviews with Director, Case Manager, and Interventionist.* Director and School's principal also joined these meetings and reviewed the progress of students on a monthly basis. *Response*, p. 4; *Interview with Director.*

G. Student's Specialized Instruction and Fall 2023 Concerns

26. From the beginning of the school year through April 2024, Interventionist provided Student with 180 minutes per week of direct specialized instruction in reading, writing, and math according to his 2023 IEP—45 minutes per day, four days per week, in a small group setting—to address four of his six 2023 IEP annual goals. *Response*, p. 4; *Interview with Interventionist.* Student spent the remainder of his time in the general education setting, with accommodations to ensure he could access the general curriculum. *Exhibit A*, pp. 13, 16.
27. Interventionist collected data on Student's progress on IEP goals by conducting assessments, and Interventionist and Case Manager met weekly to review any relevant assessment data, monitor progress on goals, and discuss any concerns or revisions to Student's instruction. *Interviews with Interventionist and Case Manager.* Director also reviewed Student's progress reporting on a monthly basis. *Interview with Director.*
28. Case Manager did not provide any direct instruction to Student, nor did she observe or supervise Interventionist's classroom instruction of Student, during the 2023-2024 school year. *Interviews with Case Manager, Interventionist, and Parent.* Case Manager did observe

Student in the general education setting for progress reporting purposes, but otherwise had minimal interaction with Student. *Complaint*, p. 2; *Interviews with Interventionist and Parent*; see *Exhibit A*, p. 23.

29. Student’s progress reporting from September 2023 reflected regression on reading and writing goals and minimal progress on his two math goals from his May 2023 assessments. *Exhibit G*, pp. 3-6. As Student continued to struggle academically during the Fall of 2023, Parent expressed concerns to BOCES regarding Student’s lack of progress. *Exhibit A*, p. 18; *Complaint*, p. 2; *Interviews with Parent, Director, Case Manager, and Interventionist*. Specifically, Parent “was concerned that [Student] is not making progress” with a general education teacher—Interventionist—providing Student’s specialized instruction under his IEP. *Exhibit A*, p. 18; *Interviews with Parent, Director, and Case Manager*.

H. IEP Amendment

30. In November 2023, BOCES formally proposed an amendment (“the Amendment”) to Student’s IEP service delivery statement to reflect the Case Manager-Interventionist service model that had been in effect since the beginning of the school year. *Complaint*, p. 2; *Exhibit A*, p. 18. Specifically, under the Amendment:

- Student’s 180 minutes per week of direct specialized instruction in reading, writing, and math would be provided by a general education interventionist (Interventionist), rather than by “a special education teacher or special education staff”; and
- The special education teacher (Case Manager) would “provide case management and consultation to design appropriate programming and ensure growth and progress are occurring.”

Exhibit A, p. 18.

31. “[Parent] requested to meet before consenting to an amendment,” and on November 27, Parent, Case Manager, and Interventionist met at Parent’s request to discuss her concerns. *Id.* Ultimately, “Parent did not agree to the service model” and did not consent to the Amendment, noting she “was concerned that [Student] is not making progress” with Interventionist providing direct instruction and Case Manager only providing case management and consultation services. *Id.*; *Complaint*, p. 2; *Interview with Parent*. Despite Parent’s disagreement, Student’s 2023 IEP was amended to reflect the current service delivery, and BOCES issued prior written notice (“PWN”) to Parent, explaining that the service model provided an appropriate offer of FAPE. *Id.* at pp. 15-18. Student’s IEP Team was not convened to amend Student’s 2023 IEP. See *id.* at p. 18; *Exhibit B*; *Interview with Parent*.⁴

⁴ The CDE recognizes that BOCES’ process in amending Student’s 2023 IEP is not an allegation accepted for investigation; however, this issue is closely related to the allegation accepted for investigation—it involves the Case Manager-Interventionist service model as well as the same IEP, timeframe, and documents—and thus is critical to consider in determining whether District provided Student a FAPE.

H. 2024 Evaluations

32. In January 2024, Parent sought and obtained a private neuropsychological evaluation of Student due to continued concerns with Student’s lack of academic progress. *Exhibit E*, p. 32; *Interview with Parent*. Student’s cognitive abilities were assessed in the Moderately-to-Severely Impaired range and his performance—including his skills in reading, writing, and math, specifically—was “consistently below expected levels across all cognitive domains assessed, including measures of his verbal comprehension, fluid reasoning, visual spatial, working memory, and processing speed abilities.” *Exhibit E*, p. 43. The private evaluator opined that Student’s “demonstrated academic performance can likely be attributed to” these cognitive deficits. *Id.*
33. In February, Parent also requested that BOCES conduct its own reevaluation to assess Student in the areas of “cognitive, occupational therapy, physical therapy, speech/language, and academics.” *Exhibit J*, p. 10. Student’s IEP Team convened an IEP meeting on February 29, and Parent consented to Student’s reevaluation at that time. *Id.* at p. 27; *Exhibit E*, p. 29.

I. Continuing Eligibility and 2024 IEP

34. On April 2, 2024, a multidisciplinary team (“MDT”) met to conduct Student’s continuing eligibility review. *Exhibit A*, p. 19; *Exhibit E*, pp. 25-28; *see Exhibit J*, pp. 50-51. The MDT reviewed the results of BOCES’ reevaluation, which indicated Student “struggles significantly with novel problem-solving and reasoning as well as his working memory and processed speed skills,” but had “relative strengths in the areas of verbal comprehension and visual-spatial problem-solving abilities.” *Exhibit E*, p. 10. These results were consistent with those from Parent’s private evaluation. *Id.*; *Interviews with Parent and Director*.
35. In consideration of both evaluations, the MDT determined Student was eligible for special education and related services under the primary disability category of SLD in basic reading skills, reading fluency, reading comprehension, written expression, math calculation, math problem solving, and oral expression, and a secondary category of speech language impairment. *Exhibit E*, pp. 25-28; *Exhibit A*, p. 19.
36. Student’s updated April 2, 2024 IEP (“2024 IEP”) includes teacher input describing Student’s present levels of performance, noting Student’s “slow growth this year” in certain discrete skills, as well as continued struggles with phonics awareness, spelling, and math. *Exhibit A*, p. 23.
37. In consideration of Student’s reevaluations and annual review, Student’s IEP Team revised his 2024 IEP annual goals and increased the amount of specialized instruction provided in reading, writing, and math. *Id.* at pp. 31-35, 38. Specifically, under the 2024 IEP, Student receives 280 minutes per week of specialized instruction provided “directly by a general education interventionist (or a special education teacher if available),” including 180 minutes for reading and writing and 100 minutes for math. *Id.* at p. 38. AN Teacher provided Student’s

math instruction under the 2024 IEP through the end of the school year, while Interventionist continued to provide Student’s 180 minutes per week of instruction in reading and writing. *Response*, p. 4; *Interviews with Director and AN Teacher*.

J. Progress on 2023 Annual Goals

38. According to the progress reporting on Student’s 2023 IEP annual goals, Student did not meet any of his reading, writing, or math annual goals, for which Interventionist was responsible, and made insufficient or minimal progress on them. *Exhibit G*, pp. 3-6. Specifically, progress reporting reflects the following:

- Reading Goal – Progress Report indicates Progress Made. Student made progress from a 5% baseline accuracy to 7% in March 2024. However, Student was assessed at 7% accuracy in Fall 2023 and did not make progress on this goal throughout the school year. *Exhibit G*, pp. 3-4.
- Writing Goal: Insufficient Progress Made. From a baseline accuracy of 10%, Student regressed to 6% accuracy in March 2024. *Id.* at pp. 4-5.
- Math Goal 1: Insufficient Progress Made. From a baseline of 5%, Student’s accuracy increased to 15% in May 2023 and did not improve over the course of the 2023-24 school year. *Id.* at p. 5.
- Math Goal 2: Progress Report indicates Progress Made. Student made progress from a 20% baseline accuracy to 28% in March 2024; however, Student regressed over the course of the year from his Fall 2023 assessment of 36% accuracy. *Id.* at pp. 5-6.

39. Given the multiple levels of consistent progress monitoring credibly described by BOCES—including weekly review by Case Manager and monthly review by Director—the SCO finds and concludes that Student’s progress reporting is reliable (FF #s 25, 27).

40. BOCES asserts that Student made “incremental” progress on discrete skills within his IEP goals, which is not necessarily reflected in the progress reporting due to the multi-component nature of the 2023 IEP goals and their unattainably high accuracy threshold. *Interviews with Director, Case Manager, and Interventionist*. Moreover, BOCES contends that Student’s processing and retention deficits, which were not confirmed until his 2024 evaluations, impacted Student’s ability to engage with the curriculum and make progress on his annual goals. *Id.*; *Exhibit M-1*, pp. 3, 5. Parent attributes Student’s lack of progress, at least in part, to Interventionist’s lack of certification or licensure to provide direct specialized instruction to students with disabilities. *Interview with Parent*.

K. Other Students

41. Interventionist also provided all the direct specialized academic instruction required by the IEPs of 23 other students (“Other Students”) in School’s mild/moderate program. *Response*,

p. 2; *Interviews with Director and Interventionist*. Specifically, each Other Student required between 160 and 375 minutes per week of specialized instruction outside the general education setting to address between one and seven IEP annual goals in reading, writing, and/or math. *Exhibit M*.

42. BOCES submitted documentation of Interventionist’s service minutes and the progress reporting and attendance records for the Other Students. *Exhibit M*. As reflected by the progress reports, the following Other Students did not make appropriate progress on one or more IEP annual goals for which Interventionist was responsible during the 2023-2024 school year:

- Student A: Insufficient progress made on 2023 Math goal;
- Student B: Insufficient progress made on one 2023 Reading goal;
- Student C: Insufficient progress made on 2023 Reading goal; and
- Student D: Insufficient progress made on one 2024 Reading goal and one 2024 Writing goal.

Exhibit M-1, pp. 157-60, 249, 455; *Exhibit M-3*, pp. 547-48. Progress reporting for all Other Students otherwise reflects progress made on all relevant IEP annual goals. *See Exhibit M*.

43. Given the multiple levels of consistent progress monitoring of all students in the mild/moderate program credibly described by BOCES—including weekly review by Case Manager and monthly review by Director—the SCO finds and concludes that Other Students’ progress reporting is reliable (FF #s 25, 27).

L. Current Status of Mild/Moderate Program

44. Prior to the start of the 2024-2025 school year, District hired a certified special education teacher (“Special Education Teacher”) for the School’s mild/moderate program. *Interview with Director*. Special Education Teacher possesses a valid Colorado professional teacher license with an endorsement as a special education generalist. *Exhibit P*. Since the beginning of the 2024-2025 school year, Special Education Teacher has provided and continues to provide all specialized instruction required by the IEPs of all students in the mild/moderate program, including Student. *Interview with Director*. Therefore, the SCO finds and concludes that the Case Manager-Interventionist service model is not in effect for the 2024-2025 school year.

45. Director reports that BOCES is in the process of completing amendments to impacted students’ IEPs to accurately reflect the current service delivery of specialized instruction by a special education teacher, rather than a general education interventionist. *Interview with*

Director. That amendment process is ongoing, and Student’s 2024 IEP has not yet been amended. *Id.*

CONCLUSIONS OF LAW

Based on the Findings of Fact, the CDE enters the following CONCLUSIONS OF LAW:

Conclusion to Allegation No. 1: BOCES did not ensure Interventionist—the teacher providing the special education services in Student’s IEP—possessed the required certifications and licenses during the 2023-2024 academic year, as required by 34 C.F.R. §§ 300.156 and 300.207, and ECEA Rule 3.04. This resulted in a denial of FAPE for Student and four Other Students.

Parent is concerned that Interventionist did not possess the required special education certifications and licenses to provide specialized instruction to Student during the 2023-2024 academic year and that, as a result, Student did not make progress on his IEP annual goals.

A. Special Education Certifications and Licenses: Legal Requirements

Under the IDEA, the CDE must establish qualifications to ensure that special education teachers are “appropriately and adequately prepared and trained . . . to serve children with disabilities.” 34 C.F.R. § 300.156(a). This includes ensuring that all special education teachers have obtained state certification as special education teachers. *Id.* § 300.156(c). Administrative units must ensure that staff are “appropriately and adequately prepared, subject to the requirements of § 300.156.” *Id.* § 300.207.

To that end, the CDE requires “[a]ll special education teachers [to] hold Colorado teacher’s certificates or licenses with appropriate endorsements in special education.” ECEA Rule 3.04(1)(a)(i). Administrative units bear the responsibility for ensuring their staff comply with state licensing requirements. ECEA Rule 3.03.

A school district’s decision to employ teachers to provide specialized instruction who do not possess the required special education certifications and/or licensure will likely violate the IDEA. *See, e.g., In re Student with a Disability*, 120 LRP 476 (SEA MN 12/30/19) (finding IDEA violation as to group of students who received specialized instruction from teachers holding a variety of teaching licenses but no certification or licensure in special education, but no violation as to group of students who were not entitled to specialized instruction in the areas taught by unlicensed staff); *CDE Final Decision 2023:557* (SEA CO 09/12/23) (no IDEA violation where substitute teacher, who had no certification in special education, did not provide student with any specialized instruction).

Finally, the IDEA does not excuse a district’s failure to comply with its requirements regarding the licensure/certification of special education teachers based on staff shortages. *Memorandum to State Directors of Special Education*, 81 IDELR 287 (OSEP 2022); *In re Student with a Disability*, 123 LRP 15403 (SEA NV 03/24/23) (finding charter school violated IDEA in employing substitute teachers with only standard substitute licenses, and no certification in special education, despite

staffing shortage of licensed special education teachers); *see also El Paso Cnty. Sch. Dist. 20*, 122 LRP 39732 (SEA CO 6/5/22) (finding an ongoing obligation to provide FAPE pursuant to a student’s IEP during a staffing shortage).

Here, Interventionist provided 180 minutes per week of direct specialized instruction in reading, writing, and math as required by Student’s IEPs during the 2023-2024 school year. (FF #s 26, 37). Interventionist did not possess any certification or licensure in special education during this time. (FF # 16). To the extent BOCES asserts that Interventionist was appropriately licensed to provide intervention services to students under the supervision of a licensed special education teacher (FF #s 4, 21), the SCO finds and concludes that the services Interventionist provided here went beyond mere “intervention” services, even considering the weekly consultative and case management meetings with Case Manager. (FF #s 25, 27). Indeed, in addition to providing Student’s specialized instruction, Interventionist was responsible for developing the lesson planning, collecting assessment data, monitoring progress on IEP goals in coordination with Case Manager and Director, and providing all the specialized academic instruction to address between one and seven IEP annual goals for each of the 23 Other Students in the mild/moderate program. (FF #s 12, 24-27, 41-42). A teacher who acts as a special education teacher—particularly one providing this level of specialized instruction pursuant to this number of students’ IEPs—must hold the correct licensure. 34 C.F.R. § 300.156(c). Because Interventionist did not, the SCO finds and concludes that BOCES did not ensure that Interventionist possessed the required certifications and licenses during the 2023-2024 academic year, as required by 34 C.F.R. §§ 300.156 and 300.207, and ECEA Rule 3.04.

B. IEP Amendment: Legal Requirements

After an annual IEP team meeting, a student’s IEP can be amended either by (1) an IEP Team at an IEP Team meeting, or (2) the agreement of the parent and the district to amend the IEP without an IEP team meeting. 34 C.F.R. § 300.324(a)(4), (6). In order to amend an IEP outside of an IEP Team meeting, the parent and district must agree both that the IEP can be amended without an IEP Team meeting and to content of the amendment. *Spring Branch Indep. Sch. Dist. v. O.W.*, 961 F.3d 781, 799 (5th Cir. 2020).

Here, in November 2023, BOCES proposed the Amendment to Student’s 2023 IEP service delivery statement to reflect services being provided by the Case Manager-Interventionist service model. (FF # 30). Parent disagreed with the service model and did not consent to the Amendment, noting Student’s lack of progress during Fall 2023 with Interventionist providing Student’s direct instruction. (FF # 31). There is no indication that Student’s IEP Team convened—on November 23, 2023 or thereafter—to amend Student’s 2023 IEP, despite Parent’s disagreement with BOCES’ proposed amendment. (FF # 31). Accordingly, the SCO finds and concludes that District did not properly amend Student’s 2023 IEP at an IEP Team meeting, or outside of an IEP Team meeting with Parent’s agreement, as required by 34 C.F.R. § 300.324(a)(4), (6).

C. Denial of FAPE

Procedural noncompliance results in a denial of FAPE only if it (1) impedes a student’s right to a FAPE, (2) significantly impeded the parent’s opportunity to participate in the decision-making process, or (3) causes a deprivation of educational benefit. 34 C.F.R. § 300.513(a)(2); *Knable ex rel. Knable v. Bexley Sch. Dist.*, 238 F.3d 755, 765-66 (6th Cir. 2001).

Here, Student was required to receive 180 minutes per week of specialized instruction in reading, writing, and math “from a special education teacher or special education staff” under his 2023 IEP (FF # 10). Interventionist, who provided all of Student’s specialized instruction, was not licensed to teach special education in Colorado. (FF # 16). Progress reporting reflects that Student made no or limited progress on his 2023 IEP annual goals for which Interventionist was responsible. (FF # 38). Moreover, BOCES unilaterally amended Student’s 2023 IEP without agreement of Parent—indeed, over the objection of Parent—and outside of an IEP Team meeting. (FF # 31). Accordingly, the SCO finds and concludes that BOCES’ procedural noncompliance impeded Student’s right to a FAPE and denied him an educational benefit and significantly impeded Parent’s opportunity to participate in the decision-making process.

Additionally, as reflected in the Other Students’ progress reporting, BOCES’ noncompliance also impacted the ability of Students A through D to make appropriate progress on one or more annual goals during the 2023-2024 school year. (FF #s 41-42). For these reasons, the SCO finds and concludes that BOCES’ noncompliance impeded Student’s A through D’s right to a FAPE and deprived them of an educational benefit.

D. Compensatory Services

Compensatory services are an equitable remedy intended to place a student in the same position he would have been if not for the noncompliance. *Reid v. Dist. of Columbia*, 401 F.3d 516, 518 (D.C. Cir. 2005); *see Univ. Acad. Charter Sch.*, 70 IDELR 84 (SEA MN 04/18/17) (ordering compensatory services after finding district violated IDEA and denied students FAPE by failing to provide specialized instruction by licensed special education teachers).

Compensatory education need not be an “hour-for-hour calculation.” *Colo. Dep’t of Educ.*, 118 LRP 43765 (SEA CO 6/22/18). The guide for any compensatory award should be the stated purposes of the IDEA, which include providing children with disabilities a FAPE that meets the particular needs of the child, and ensuring children receive the services to which they are entitled. *Ferren C. v. Sch. Dist. of Philadelphia*, 612 F.3d 712, 717-18 (3d Cir. 2010).

Here, the SCO finds and concludes that an award of compensatory services is necessary to place Student in the position he would have been in if not for BOCES’ noncompliance. Progress reporting indicates that Student did not make appropriate progress on any of his 2023 IEP annual goals in reading, writing, and math, although he did make some minimal progress on his 2023 reading goal and one math goal compared to his May 2023 baselines. (FF # 38). However, it is difficult to assess a credible, individual impact for Student given the results of his 2024

evaluations, including the evaluator’s conclusion that Student’s previously unknown cognitive deficits also likely contributed to Student’s lack of progress during the 2023-2024 school year. (FF #s 32-34, 40). Therefore, the SCO will award **970 minutes**—15% of the weekly minutes of specialized instruction provided to Student by Interventionist across 36 weeks to address the 2023 annual goals in reading, writing, and math in which Student made insufficient or minimal progress. The SCO finds and concludes that this is a reasonable amount considering Student’s individualized needs, including his demonstrated lack of progress and the findings of his 2024 evaluations.

The SCO also finds and concludes that an award of compensatory services is necessary to place the following Other Students in the position they would have been in if not for BOCES’ noncompliance: **Student A** (245 minutes in math instruction); **Student B** (130 minutes in reading instruction); **Student C** (215 minutes in reading instruction); and **Student D** (165 minutes in reading and writing instruction). Specifically, this award represents 15% of the weekly minutes of specialized instruction provided to Students A through D by Interventionist to address one or more annual goals in which Students A through D made insufficient progress during the 2023-2024 school year (FF # 42). In making this determination, the SCO also considered the total service minutes Interventionist provided to Students A through D and Students’ progress on other annual goals, as well as attendance.

Systemic IDEA Noncompliance: This investigation demonstrates noncompliance that is systemic in nature and will likely impact the future provision of services for all children with disabilities in District if not corrected. 34 C.F.R. § 300.151(b)(2).

Pursuant to its general supervisory authority, CDE must consider and ensure the appropriate future provision of services for all IDEA-eligible students in District. 34 C.F.R. § 300.151(b)(2). Indeed, the U.S. Department of Education has emphasized that the state complaint procedures are “critical” to the SEA’s “exercise of its general supervision responsibilities” and serve as a “powerful tool to identify and correct noncompliance with Part B.” *Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities*, 71 Fed. Reg. 46601 (Aug. 14, 2006).

Here, the SCO recognizes that the BOCES’ Case Manager-Interventionist service model was created in response to a shortage of credentialed and licensed special education teachers and that the nationwide staffing shortage in education is beyond its control. The SCO also recognizes that most Other Students who received instruction from Interventionist made progress on their IEP annual goals (FF # 42), and the conclusions in this Decision should not be construed as conclusions regarding Interventionist’s effectiveness as a teacher.

Nevertheless, the IDEA does not excuse noncompliance with its requirements based on staffing shortages, *Memorandum to State Directors of Special Education*, 81 IDELR 287 (OSEP 2022), and BOCES’ noncompliance impacted Student and four Other Students and has the ability to impact the future provision of services for all students with disabilities in BOCES if not corrected. (FF # 38, 42). Although BOCES has discontinued the Case Manager-Interventionist service model and

students in the mild/moderate program are presently receiving their required specialized instruction from a certified special education teacher, BOCES is still in the process of amending impacted students' IEPs to reflect this practice. (FF #s 44-45). Further, BOCES' noncompliance in amending Student's 2023 has the ability to impact other students in the BOCES if not corrected, particularly given that BOCES is currently in the process of amending the IEPs of all students in the mild/moderate program. (FF # 45). The SCO accordingly finds and concludes that BOCES' noncompliance is systemic. For these reasons, the SCO will order limited remedies intended to ensure this noncompliance does not impact the future provision of services to students in BOCES.

REMEDIES

The CDE concludes that BOCES did not comply with the following IDEA requirements:

- a. Ensuring that Student's teacher implementing his IEP possessed the required certifications and licenses, as required by 34 C.F.R. §§ 300.156 and 300.207, and ECEA Rule 3.04.
- b. Convening Student's IEP Team to amend his IEP, or obtaining Parent's agreement to amend Student's IEP outside of an IEP Team meeting, as required by 34 C.F.R. § 300.324(a)(4),(6).

To demonstrate compliance, BOCES is ORDERED to take the following actions:

1. Corrective Action Plan

- a. By **Friday, October 18, 2024**, BOCES shall submit to the CDE a corrective action plan ("CAP") that adequately addresses the noncompliance noted in this Decision. The CAP must effectively address how the cited noncompliance will be corrected so as not to recur as to Student and all other students with disabilities for whom BOCES is responsible. The CDE will approve or request revisions that support compliance with the CAP. Subsequent to approval of the CAP, the CDE will arrange to conduct verification activities to confirm BOCES' timely correction of the areas of noncompliance.

2. Final Decision Review

- a. Director, Case Manager, Interventionist, AN Teacher, and all BOCES/District special education administrators must review this Decision, as well as the requirements of 34 C.F.R. §§ 300.156, 300.207, 300.324(a)(4),(6), and ECEA Rule 3.04. This review must occur no later than **Friday, October 25, 2024**. A signed assurance that this Decision has been reviewed must be completed and provided to the CDE no later than **Friday, November 1, 2024**. If the individuals identified in this paragraph are no longer employed by BOCES when the review occurs, staff occupying identical roles must review the Decision. If BOCES no longer has any of

these roles, BOCES may substitute the individual occupying the role with similar responsibilities.

3. IEP Amendments for Student and Other Students

- a. By **Friday, October 11, 2024**, BOCES shall complete an amendment of Student's 2024 IEP in accordance with 34 C.F.R. §§ 300.324 and 300.503 to accurately reflect Student's services being provided by a properly licensed and certified special education teacher.
- b. By **Friday, October 18, 2024**, BOCES shall submit to the CDE Student's Amended 2024 IEP, including any accompanying prior written notices.
- c. By **Friday, December 6, 2024**, BOCES shall complete an amendment of the IEPs of each student in the mild/moderate program whose IEP currently reflects services being provided by a general education interventionist (or special education teacher "if available"), in accordance with 34 C.F.R. §§ 300.324 and 300.503, as required to accurately reflect each student's services being provided by a properly licensed and certified special education teacher.
- d. By **Friday, December 13, 2024**, BOCES shall submit to the CDE each student's amended IEP, including any accompanying prior written notices.

4. Service Provider Reporting

- a. To verify that BOCES continues to ensure compliance with teacher licensure and certification requirements, BOCES shall submit to the CDE monthly reports documenting the name, title, and date of birth of the current service provider(s) providing specialized instruction pursuant to the IEPs of all students in School's mild/moderate program. These reports must be submitted by the **second Monday of each month**, beginning November 11, 2024, and continuing to and including May 12, 2025.

5. Compensatory Education Services for Student

- a. Student shall receive **970 minutes of direct specialized instruction in reading, writing, and math provided by an appropriately licensed special education teacher—selected by the BOCES—outside the general education setting**. These services must be designed to advance Student toward current annual IEP goals in reading, writing, and math. BOCES shall determine the distribution of service minutes toward reading, writing, and math goals in consideration of Student's progress and any changed needs, and in accordance with Remedies ¶ 5(f) below.
- b. All compensatory services must be provided to Student no later than **May 22, 2025**.

- c. By **Friday, October 18, 2024**, Parent shall provide written consent for the provision of compensatory services to the CDE and BOCES. If Parent does not provide written consent for services by this date, BOCES will be excused from providing compensatory services. Unless otherwise specified by the BOCES, this written consent shall be provided by Parent to Director. BOCES must then provide the written consent to CDE Special Education Monitoring and Technical Assistance Consultant.
 - i. Parent may opt out of some or all of the compensatory services.
- d. If written consent for the provision of compensatory services is received by **Friday, October 18, 2024**, BOCES shall schedule compensatory services in collaboration with Parent. BOCES shall submit the schedule of compensatory services to the CDE by **Friday, November 1, 2024**. A meeting is not required to arrange this schedule, and the parties may collaborate, for instance, via e-mail, telephone, video conference, or an alternative technology-based format to arrange for compensatory services. The schedule shall include the dates, times, and durations of planned sessions.
 - i. Any delay in beginning the provision of compensatory services must be approved by the CDE.
 - ii. If the BOCES and Parent cannot agree to a schedule by **Friday, November 1, 2024**, BOCES and Parent must meet either in-person or via video conference to resolve scheduling complications by **Friday, November 8, 2024** and submit the schedule by **Wednesday, November 13, 2024**.
 - iii. If the BOCES and Parent cannot agree to a schedule by **Friday, November 8, 2024**, the BOCES must submit to the CDE all documentation evidencing diligent attempts to schedule the compensatory services in collaboration with Parent, including but not limited to, copies of correspondence sent to the Parent and any responses received (such as e-mails), contact logs (such as records of telephone calls made or attempted and the results of those calls), and meeting notes, by **Friday, November 15, 2024**.
 - iv. By **Friday, November 29, 2024**, the CDE will, in its sole discretion, either determine the schedule for compensatory services or determine that BOCES is excused from providing the compensatory services.
- e. The parties shall cooperate in determining how compensatory services will be provided. If Parent refuses to meet with the BOCES within this time, the BOCES will be excused from delivering compensatory services, provided that BOCES diligently attempts to meet with Parent and documents such efforts. A

determination that BOCES diligently attempted to meet with Parent, and should thus be excused from providing compensatory services, rests solely with the CDE.

- f. Monthly consultation between the provider(s) delivering compensatory services and Director or the Director's Designee shall occur to evaluate Student's progress towards IEP goals and adjust instruction accordingly. The purpose of this consultation is to help ensure that compensatory services are designed and delivered to promote progress on IEP goals. BOCES must submit documentation that these consultations have occurred **by the second Monday of each month**, once services begin, until all compensatory services have been furnished. Consultation logs must contain the name and title of the provider and the date, the duration, and a brief description of the consultation.
- g. To verify that Student has received the services required by this Decision, BOCES must submit records of service logs to the CDE by the **second Monday of each month** until all compensatory services have been furnished. The name and title of the provider, as well as the date, the duration, and a brief description of the service must be included in the service log.
- h. These compensatory services will be in addition to any services Student currently receives, or will receive, that are designed to advance Student toward IEP goals and objectives. These compensatory services must be provided to Student outside of the regular school day (such as before and/or after school, on weekends, or during school breaks) to ensure Student is not deprived of the instruction Student is entitled to (including time in general education).
- i. If for any reason, including illness, Student is not available for any scheduled compensatory services, BOCES will be excused from providing the service scheduled for that session. If for any reason BOCES fails to provide a scheduled compensatory session, BOCES will not be excused from providing the scheduled service and must immediately schedule a make-up session in consult with Parent, as well as notify the CDE of the change in the appropriate service log.

6. Compensatory Education Services for Other Students

- a. Students A through D shall receive **direct specialized instruction provided by an appropriately licensed and qualified special education teacher—selected by the BOCES—outside the general education setting**, in these amounts:
 - i. **Student A** (245 minutes of math instruction); **Student B** (130 minutes of reading instruction); **Student C** (215 minutes of reading instruction); **Student D** (165 minutes of reading and writing instruction).

- ii. All compensatory services must be provided to Students A through D no later than **May 22, 2025**. These services must be designed to advance Students A through D toward current annual IEP goals.
- b. By **Friday, October 4, 2024**, BOCES shall submit to CDE for review a draft letter to be sent to the parents of Students A through D. This letter shall notify parents that their Student was identified in a recent state complaint decision (with information on where to find the decision) as a student who requires compensatory services as a result of BOCES' noncompliance as identified in the decision.
 - i. This can be a form letter, but it must include an individualized section indicating the services the Student received from Interventionist during the 2023-2024 school year and the area(s) identified above in which the Student did not make sufficient progress.
 - ii. The letter must include a section requiring parents of Students A through D to sign, acknowledging their receipt of the letter and understanding of its contents.
 - iii. The letter must include a section requiring parents of Students A through D to consent to or opt out of the compensatory education services.
 - iv. CDE will approve the draft letter, approve it with modifications, or reject it by **Friday, October 11, 2024**.
- c. By **Friday, October 18, 2024**, BOCES must send the approved letter to the parents of Students A through D.
 - i. BOCES must translate the approved letter as necessary to provide it to parents with limited English proficiency in their native language.
 - ii. BOCES must send the letter via both email (if the parent has an email address) and postal mail.
 - iii. BOCES must simultaneously submit a signed assurance to CDE that the approved letters were sent to the parents of Students A through D, along with a list of the parents' names, students' names, addresses, and the date that the letter was sent to each.
 - iv. If the Student no longer attends School but still attends school in the BOCES, the letter must be sent to the parents by October 18, 2024.
 - v. If the Student no longer attends any school in the BOCES, the letter must be sent to the parents' last known address and BOCES must make

reasonable attempts to reach them, including contacting the Student's last known AU of residence.

- vi. If BOCES is unable to reach parents whose Student no longer attends a school in the BOCES, BOCES will be excused from delivering compensatory services for that Student, provided that BOCES diligently attempts to reach parents and documents such efforts. A determination that BOCES diligently attempted to meet with parents of Students A through D, and should thus be excused from providing compensatory services, rests solely with the CDE.
- d. By **Friday, November 22, 2024**, parents of Students A through D shall provide written consent for the provision of compensatory services to the CDE and the BOCES. If parents do not provide written consent for services by this date, the BOCES will be excused from providing compensatory services. Unless otherwise specified by the BOCES, this written consent shall be provided by parents to Director. BOCES must then provide the written consent to CDE Special Education Monitoring and Technical Assistance Consultant.
- e. If written consent for the provision of compensatory services is received by **Friday, November 22, 2024**, BOCES shall schedule compensatory services in collaboration with the parents of Students A through D. BOCES shall submit the schedule of compensatory services to the CDE by **Friday, January 3, 2025**. A meeting is not required to arrange this schedule, and the parties may collaborate, for instance, via e-mail, telephone, video conference, or an alternative technology-based format to arrange for compensatory services. The schedule shall include the dates, times, and durations of planned sessions.
 - i. Any delay in beginning the provision of compensatory services must be approved by the CDE.
 - ii. If BOCES and the parents of Students A through D cannot agree to a schedule by **Friday, January 3, 2025**, the BOCES and parents must meet either in-person or via video conference to resolve scheduling complications by **Friday, January 10, 2025** and submit the schedule by **Wednesday, January 15, 2024**.
 - iii. If the BOCES and the parents of Students A through D cannot agree to a schedule by **Friday, January 10, 2025**, the BOCES must submit to the CDE all documentation evidencing diligent attempts to schedule the compensatory services in collaboration with parents, including but not limited to, copies of correspondence sent to the parents and any responses received (such as e-mails), contact logs (such as records of telephone calls

made or attempted and the results of those calls), and meeting notes, by **Friday, January 17, 2025**.

- iv. By **Friday, January 31, 2025**, the CDE will, in its sole discretion, either determine the schedule for compensatory services or determine that BOCES is excused from providing the compensatory services.
- f. The parties shall cooperate in determining how compensatory services will be provided. If parents of Students A through D refuse to meet with the BOCES within this time, the BOCES will be excused from delivering compensatory services, provided that BOCES diligently attempts to meet with parents and documents such efforts. A determination that BOCES diligently attempted to meet with parents, and should thus be excused from providing compensatory services, rests solely with the CDE.
- g. Monthly consultation between the provider(s) delivering compensatory services and Director or the Director's Designee shall occur to evaluate Students A through D's progress towards IEP goals and adjust instruction accordingly. The purpose of this consultation is to help ensure that compensatory services are designed and delivered to promote progress on IEP goals. BOCES must submit documentation that these consultations have occurred **by the second Monday of each month**, once services begin, until all compensatory services have been furnished. Consultation logs must contain the name and title of the provider and the date, the duration, and a brief description of the consultation.
- h. To verify that Students A through D have received the services required by this Decision, BOCES must submit records of service logs to the CDE by the **second Monday of each month** until all compensatory services have been furnished. The name and title of the provider, as well as the date, the duration, and a brief description of the service must be included in the service log.
- i. These compensatory services will be in addition to any services Students A through D currently receive, or will receive, that are designed to advance Students A through D toward IEP goals and objectives. These compensatory services must be provided to Students A through D outside of the regular school day (such as before and/or after school, on weekends, or during school breaks) to ensure Students A through E are not deprived of the instruction they entitled to (including time in general education).
- j. If for any reason, including illness, Students A through D are not available for any scheduled compensatory services, BOCES will be excused from providing the service scheduled for that session. If for any reason BOCES fails to provide a scheduled compensatory session, BOCES will not be excused from providing the scheduled service and must immediately schedule a make-up session in consult

with parents of Students A through D, as well as notify the CDE of the change in the appropriate service log.

Please submit the documentation detailed above to the CDE as follows:

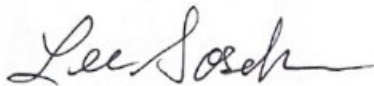
Colorado Department of Education
Exceptional Student Services Unit
Attn.: CDE Special Education Monitoring and Technical Assistance Consultant
201 E. Colfax Avenue
Denver, CO 80203

NOTE: If BOCES does not meet the timelines set forth above, it may adversely affect the BOCES' annual determination under the IDEA and subject the BOCES to enforcement action by the CDE.

CONCLUSION

The Decision of the CDE is final and is not subject to appeal. *CDE State-Level Complaint Procedures*, 13. If either party disagrees with this Decision, the filing of a Due Process Complaint is available as a remedy provided that the aggrieved party has the right to file a Due Process Complaint on the issue with which the party disagrees. *CDE State-Level Complaint Procedures*, 13; *see also* 34 C.F.R. § 300.507(a); 71 Fed. Reg. 156, 46607 (August 14, 2006). This Decision shall become final as dated by the signature of the undersigned State Complaints Officer ("SCO").

Dated this 20th day of September, 2024.



Lee Sosebee, Esq.
State Complaints Officer

APPENDIX

Complaint, pages 1-3

- Supplement to Complaint: Signature Page
- Exhibit 1: Progress Reports
- Exhibit 2: IEP Amendment

Response, pages 1-5

- Exhibit A: IEPs & PWNs
- Exhibit B: NOMs
- Exhibit D: Meeting Notes
- Exhibit E: Evaluations
- Exhibit F: Attendance Records
- Exhibit G: Progress Reports
- Exhibit H: Staff Credentials
- Exhibit I: Policies
- Exhibit J: Correspondence
- Exhibit K: Relevant Staff
- Exhibit L: Verification of Delivery
- Exhibit M: Other Students' Information
- Exhibit N: Special Education Manual
- Exhibit O: School Calendar
- Exhibit P: Additional Licensure

Telephone Interviews

- Parent: August 19, 2024
- Director: August 15, 2024; September 12, 2024
- Case Manager: August 15, 2024
- Interventionist: August 15, 2024; September 12, 2024
- AN Teacher: August 15, 2024

CDE Exhibits

- CDE Exhibit 1: Press Release