

**Report of Inquiry
Bureau Resolution Determination
Conducted by the Bureau of Exceptional Education and Student Services
Involving the Manatee County School District**

BACKGROUND

On December 2, 2008, the Bureau of Exceptional Education and Student Services (Bureau) received a state complaint letter from complainants alleging that the Manatee County School District had violated federal and state laws relating to the education of students with disabilities. Specifically, the complainants' allegation involved the following issue:

ISSUE: Whether the Manatee County School District developed the individual educational plan (IEP) to address the student's academic needs that result from the student's disability for the 2007-08 school year, specifically regarding the following:

- **One-on-one delivery of instruction**
- **Slowing the student's rate of instruction**
- **Considering a full range of supplementary aids and services**
- **Remediation and support to enable the student to achieve the annual goals**
- **Statements of how the student's disabilities impacted the student's progress in curriculum**
- **Baseline information for annual goals and a description of the objective measurements used for monitoring the progress**
- **Sending class work home to be completed and depending on the tutor to teach the student**
- **Not providing the student extra supports in writing and requiring essays**
- **Requiring the student to take notes while watching movies or learning concepts**

The 60-day timeline for completion of the inquiry began on December 2, 2008, with an anticipated completion date of January 31, 2009. The district and the complainants were asked to submit relevant documents and information to the Bureau. The district's documentation was submitted by Mr. Ron Russell, Director of Exceptional Student Education (ESE), Manatee County School District. The complainants also provided documentation. In addition, both parties provided information via telephone interviews.

As part of the inquiry process, relevant portions of the student's educational records were reviewed. The educational records indicated that the student (date of birth: ■) was in the ■ grade and determined eligible for special programs for students identified with other health impairments (OHI), language impairment (LI), and receiving occupational therapy (OT) as a related service. The student was dismissed from OT on January 30, 2008. In addition, the student was diagnosed with post-traumatic stress disorder (PTSD), attention deficit hyperactivity disorder (ADHD), anemia, and hypoglycemia, and took medication for anxiety.

FINDINGS OF FACT

1. The student transferred from Sarasota County School District in April 2007 as a ■ grader. The Sarasota County IEP in effect prior to the transfer provided for direct instruction in all academic areas, daily, in a self-contained ESE classroom. Conference notes dated April 5, 2007, indicated that Manatee County School District would implement the student's IEP from Sarasota County School District, with some revisions, and the IEP team would reconvene by May 24, 2007, to develop an IEP for the following school year. The services on the IEP were revised to include "direct instruction in the regular education classroom" and "assistance for some learning (inclusion model) daily."
2. Conference notes and IEPs submitted by the parties indicate that meetings were held on the following dates to address the students educational needs and/or progress: April 7, May 21, August 16, September 7, October 12, November 2, November 14, December 4, and December 12, 2007, and January 30, February 21, March 25, May 20, and June 8, 2008.
3. The student began the 2007-08 school year with the November 10, 2006, IEP in place. After meeting on several occasions, the student's IEP for 2007-08 was completed on November 2, 2007. The following is a summary of the IEP content that applies most directly to this issue:
 - Present Level of Educational Performance (general) and Parent Input
 - "Parents want emotional and academic support for [the student], especially in expressive and receptive language skills. They want [him/her] to graduate from high school with a regular diploma."
 - Most recent evaluation results and 2007 FCAT scores indicated that reading is a relative strength, and that math and written expression are relative weaknesses.
 - Remediation needed for the student to achieve a passing score on the FCAT: "As requested by the parent, 2007 FCAT scores were not used to place [the student] in any remedial cases. Parents think that [the student] took the tests under stress and that the scores are invalid..."
 - Educational Domain: Curriculum and Learning Environment; Social/Emotional Behavior; Instruction; Independent Functioning
 - "[The student] should take responsibility for [his/her] actions and follow through with... assignments. [S/he] should gain comprehension strategies to improve ■ ability to interpret and remember what [s/he] has read. [The student] should apply previously learned facts to new concepts."
 - "[The student] is easily distracted from [his/her] assignments. [S/he] is often in a state of high anxiety. [S/he] needs a very low noise level to work efficiently."
 - "[The student] enjoys reading and music. [S/he] has a good sense of humor. [S/he] responds well to praise."
 - "Because of [his/her] PTSD, [the student] has feelings of anxiety and stress throughout the day. [S/he] has difficulty focusing in the regular classroom and often needs to take tests in a quiet place. [S/he] also has receptive and expressive language memory deficits. These deficits affect storage and retrieval of skills which have been taught. [S/he] has permission to leave the classroom for a snack from the clinic."
 - Measurable Annual Goals: Curriculum and Learning Environment; Social/Emotional Behavior; Instruction; Independent Functioning
 - "[The student] will increase [her/his] on task academic time by completing five representative problems during the allotted time with one teacher prompt or redirection."

- “[The student] will practice self-control (raising [her/his] hand, not yelling out) when frustrated and accept redirection from [her/his] teachers 4 out of 5 times.”
 - “When given a topic or prompt, [the student] will write a 5 paragraph essay, staying on topic and using specific details and examples including proper punctuation, spelling, and grammar rules. [S/he] will score at least a 4 out of 6 essay score based on Florida Writes Rubric.”
 - “When given problems, [the student] will demonstrate skills in solving algebraic equations using integers, fractions, decimals, and percents by completing class assignments with 80% accuracy.”
 - “When given a passage or story to read, [the student] will answer comprehension questions (including conclusions and inferences for the assigned passage for 4 out of 5 questions).”
 - Exceptional Student Education Services
 - Assistance for some learning activities – Inclusion; 250 minutes per week; daily; regular education classroom
 - Specialized instructional approaches – Learning Strategies; 250 minutes per week; 1 time per day; ESE classroom
4. On December 4, 2007, the student was assigned to an interim alternative educational setting (█ Academy) due to behavioral violations. The program at █ Academy provides for a lower student: teacher ratio and more intensive and personalized support than a traditional school campus. On January 30, 2008, the IEP was reviewed and some sections were revised (e.g., information about the student and the effect of the disability). The services sections of the IEP remained unchanged; however, it is not clear from the documentation provided that the services were implemented as written while the student was enrolled at █ Academy. While the IEP team discussion regarding this program may have included all the considerations required for prior notice of a district’s proposal or refusal to make a change in the provision of FAPE to a student, there is no evidence that a formal notice was provided in writing.
 5. On March 25, 2008, the IEP team met and determined that the student was eligible for the hospital homebound (H/H) program, based on issues related to anxiety, and the IEP was revised to include this service.
 6. Regarding the issue of one-on-one delivery of instruction:
 - The student’s private neuropsychological evaluation dated August 10, 2006, stated that if possible “it would certainly be helpful” for the student to have one-on-one assistance in most academic areas due to the student’s needs.
 - Conference notes from a meeting held on May 21, 2007, include the statement that “...[the ESE teacher] is with [the student] in science and... has to pull up a chair beside [the student] to get [the student] to work. It takes a lot of one-on-one...”
 - Conference notes from a meeting held on October 12, 2007, indicated that: the complainants requested to meet with the IEP team to discuss the student’s needs and stated that the student required one-on-one instruction for some areas; the complainants wanted the student to stay in the regular class room; and, the ESE department chairperson stated that she was available to work one-on-one with the student first period anytime the parents requested it.
 - Conference notes from a meeting held on November 2, 2007, IEP stated that the “parents want academic support one-on-one to assure that [the student] is understanding the

- material.” After consideration of the need for one-on-one instruction, the IEP team determined that this level of support was not required; the parents disagreed.
- While the IEP team discussion regarding this decision may have included all the considerations required for prior notice of a district’s proposal or refusal to make a change in the provision of FAPE to a student, there is no evidence that a formal notice was provided in writing.
7. Regarding the issue of slowing the student’s rate of instruction:
- The August 10, 2006, private neuropsychological evaluation stated that the student’s working memory skills fell below expectations and were impacted negatively by language processing problems. In addition, the evaluation stated that the student experienced severe expressive language delays and had a poor working memory.
 - Conference notes from a meeting held on September 7, 2007, indicated that the complainants requested a change in one of the student’s instructors, stating that the teaching style of the current instructor was not conducive to the student’s learning style. School staff explained that the new class being requested did not offer the student in-class ESE support. The complainants indicated that this would be fine, and the student’s schedule was changed to accommodate the request.
 - The student’s rate of instruction was addressed by the following accommodations identified on the November 2, 2007, IEP: remove time constraints from class assignments and tests; homework may be reduced and allowed to turn in late; allow extra time to complete assignments within the reporting cycles without grade reduction; extended timing; reduce the amount of assigned mathematic homework problems by half; and break longer presentation into shorter segments for the student
 - The district provided anecdotal records from the learning strategies class indicating that the student was provided with assistance to complete unfinished class work.
 - The complainants stated on November 6, 2007, in written correspondence to the IEP team members that the delivery and methods of instruction being provided for the student needed to be adapted to the student’s unique needs. Due to the parents concerns, the IEP team met on November 14, 2007; the annual goals were revised and a teacher checklist was developed.
8. Regarding the issue of considering a full range of supplementary aids and services:
- It was noted on the November 10, 2006, and the November 2, 2007, IEPs that Supplemental Aides and Services were determined by the IEP team to be “N/A” or not needed.
 - Conference notes from the January 30, 2008, IEP team meeting stated that an assistive technology consultation was requested by the IEP team. This was completed in October 2008, with recommendations regarding software. In the district’s response to this complaint, it was stated that the evaluation was delayed by student absences while enrolled at ■ Academy and a decision by the team to suspend the evaluation while the student received hospital/homebound services. It was to be completed upon the student’s return to the public school classroom, as this was the environment in which the student was having difficulty.
9. Regarding the issue of remediation and support to enable the student to achieve the annual goals:
- See Findings of Fact 3, 5, 6, and 7.

- The student was provided intensive reading for two class periods and intensive math for one class period as remediation during the 2007-08 school year.
 - District documentation stated that some of the student's teachers volunteered to work with the student after school periodically, and two of the student's teachers worked with the student during their planning periods in October 2007 as the student had need.
 - District documentation indicated that the student had a safe place provided if needed due to anxiety, and could continue to complete class work.
 - The November 2, 2007, IEP included 25 accommodations in the areas of assignment, social/emotional, communication, evaluation, and curriculum and learning environment.
 - The November 2, 2007, IEP conference notes stated that the IEP team members thought the student was progressing; however, the complainants disagreed.
 - The student's report card for the 2007-08 school year identified three A's and three B's.
 - The following progress reports were provided during the 2007-08 school year:
 - An interim progress report dated September 20, 2007, reported that it was anticipated that the student would meet the annual goals.
 - A speech/language progress report dated October 26, 2007, reported that the student was making progress with receptive and expressive language skills.
 - An OT progress report dated January 29, 2008, reported that the student had mastered the goal and recommended dismissal.
 - An H/H progress report dated May 6, 2008, regarding math and language art goals reported that the student was making progress.
 - Conference notes from a meeting held on November 14, 2007, included a list of annual goals and objectives that were revised at the request of the complainants.
 - Conference notes from a meeting held on January 30, 2008, indicated that social/emotional goals were added to the IEP, the amount of language therapy was reduced, and the student was dismissed from OT. The student's goals and strategies were discussed with the alternative school teachers to help ensure the student's success.
 - The complainants stated that they were not provided with progress reports for each of the student's annual goals as often as parents are informed of the progress of nondisabled students as indicated on the IEP.
10. Regarding the issue of statements (on the IEPs) of how the student's disabilities impacted the student's progress in curriculum:
- See Finding of Fact 3.
 - Conference notes that addressed the student's disabilities and their effect on the student's learning and progress in the general curriculum included the following:
 - August 16, 2007 – Student had math tutor all summer and student feels confident; complainants decided not to provide counseling; expressed concern regarding writing and that the student will need instructions repeated for understanding; the student will be monitored for progress and the results shared with the complainants.
 - September 7, 2007 – The student's teachers reported the student's progress. The complainants requested a contract that teachers will use to communicate if the student is on time to class; the complainants requested that the student be changed to a different history class because the teacher's teaching style was not conducive to the student's learning style.

- January 30, 2008 – The complainant shared with the student’s teachers how the student’s auditory processing disorder affects the functional behavior in and out of the classroom. The teachers shared the student’s progress.
- May 20, 2008 – The student’s disability and medical diagnosis was shared with the IEP team, specifically regarding the way in which this will impact transition to high school.

11. Regarding baseline information for annual goals and a description of the objective measurements used for monitoring the progress:

- The student transferred from Sarasota with a functional behavior assessment (FBA) and a BIP in place. The BIP was updated in the spring of 2008 and an addendum was completed in early summer of 2008.
- The November 2, 2007, IEP identified the following sources of information: review of psychological reports, diagnostic assessments, teacher observations, daily work samples, progress reports, report cards, classroom participation, review of the student’s ESE file, incident descriptions, and input from the complainants. Scores from the following instruments were provided:
 - Wechsler Intelligence Scale for Children – Fourth Edition (WISC-IV) Full Scale Score (2006)
 - Woodcock Johnson Tests of Achievement III (WJIII) Tests of Achievement (math and reading) (2006 and 2007)
 - 2004 Florida Comprehensive Assessment Test (FCAT) reading and math tests (The 2007 FCAT scores were not used as the complainant indicated that the student took the test under stress and the scores were invalid.)
 - Additional assessment information obtained after the November 2, 2007, IEP was developed included the following:
 - o School Social Work Assessment (2007)
 - o Behavior rating Scales (2007 and 2008)
 - o OT evaluation (2008)
 - o Evaluation for an Auditory Processing Disorder (requested 2008)
- The objective measurements used for monitoring the student’s progress as identified on the November 2, 2007, IEP included the following:
 - Teacher developed checklists/chart and/or work samples every nine weeks
 - Florida Writes essay rubric/work samples every nine weeks
 - Graded work samples every nine weeks
 - Structured observations every nine weeks
- The student is pursuing a standard diploma, and therefore is being instructed in the Sunshine State Standards (SSS). The student’s course grades reflected the student’s progress on the SSS.
- The annual goals and methods for determining the student’s progress towards the goals are sufficiently clear as to be observable and measurable.
- Documentation provided by the parties indicate that the following progress reports were provided to the complainants during 2007-08 school year:
 - An interim progress report dated September 20, 2007, reporting that it was anticipated that the student would meet the annual goals.
 - A speech/language progress report dated October 26, 2007, reporting that the student was making progress with receptive and expressive language skills.

- An OT progress report dated January 29, 2008, reporting that the student had mastered the goal and recommended dismissal.
 - An H/H progress report dated May 6, 2008, for the math and language art goals reporting that the student was making progress.
 - Documentation was not provided that the complainants were provided reports of the student's progress toward the annual goals on the schedule indicated on the IEP.
 - The complainants requested evaluations for a possible auditory processing disorder which is currently in the process of being completed by an outside source.
12. Regarding the issue of sending class work home to be completed and depending on the tutor to teach the student:
- The complainant stated in a letter dated October 16, 2007, to the IEP team members that the tutor had to re-teach concepts the student did not understand from the classroom instruction, and had to spent time with the student completing unfinished class work, which left no time for additional practice or studying for tests. The letter also indicated that the student told the complainants that ■ preferred to complete math and science assignments with the tutor rather than in the classroom.
 - Documentation provided by the district indicated that the student was assigned unfinished class work to complete at home, but that other homework assignments (i.e., additional assignments beyond the daily class work) were not required.
 - The November 2, 2007, IEP indicated that the student had accommodations which included extended time to complete assignments, math assignments reduced by half, and provision of a structured schedule for assignment completion.
 - Conference notes indicated that the ESE department chairperson volunteered to provide extra help for the student when requested by the complainants.
 - The complainants requested that the student remain in the regular education setting and be provided regular education curriculum, and requested that the student not receive any homework (except incomplete class work). In its response to this complaint, the district stated that this created a difficult situation as participation in the regular education setting required homework to fully benefit from the regular education curriculum.
13. Regarding the issue of not providing the student extra supports in writing and requiring essays:
- The private neuropsychological evaluation dated August 10, 2006, stated that the student should be in a special education class for writing.
 - On August 16, 2007, the student's IEP team discussed the following regarding the complainants concerns about writing:
 - The complainants requested that the teachers help the student set goals and work toward them.
 - The student may need instructions repeated to provide understanding of the assignment and may need more than just two step directions provided; accommodations on the IEP addressed this.
 - Conference notes from the meeting held on September 7, 2007, indicated that the language arts teacher stated that the student's grade was an A. The teacher explained to the complainants what was expected for the following weeks and that the student had potential to succeed.
 - See Finding of Fact 3.

- The student was in a regular education class for regular education curriculum utilizing the Sunshine State Standards (SSS). Students in the 7th and 8th grade were required to write a five paragraph essay. The student earned a 3.0 for the Florida Writes in 2004, and on a practice test given in █ grade the student earned a 2.5 score on the Florida Writes.
 - The student's November 2, 2007, IEP identified the following to support writing needs:
 - Provide copies of lecture notes and overheads
 - Allow extra time to complete assignments
 - Emphasize content over spelling
 - Check for comprehension of directions
 - Break longer presentations into shorter segments
 - Pencil grip provided
 - In its response to this complaint the district reported that the teacher taught the writing process, including webbing, outlining, pre-writing skills, drafts, editing, revising, and final drafts. These are skills appropriate for instruction in language arts and learning strategies classes.
 - The language teacher stated at the November 2, 2007, IEP meeting that the student was showing progress with the instruction. The student's final report card grade for language arts for the school year was a B.
14. Regarding the issue of requiring the student to take notes while watching movies or learning concepts:
- The complainant notified school staff in writing on October 8, 2007, of the difficulty the student had in completing a science assignment that involved taking notes while watching a video. An IEP meeting was scheduled for October 12, 2007, to address the student's educational needs based on the student's disability and to complete the annual IEP.
 - The district acknowledged that the science assignment for the student to take notes while watching a video was a one-time situation that was handled immediately. Once this issue came to light, the teacher made immediate changes to ensure that this did not occur again.
 - The student's November 10, 2006, IEP in place at that time identified an accommodation that stated the student should not have to copy everything, but could be encouraged to try, and would be provided a copy of class notes.
 - The student's November 2, 2007, IEP identified an accommodation that stated the student will be provided study guides/outlines/notes when requiring the student to copy from the board/overhead.

LEGAL AUTHORITY FOR THE BUREAU'S FINAL DECISION

Section 300.324 of Title 34 of the Code of Federal Regulations (Title 34) states, "(a) *Development of IEP.* (1) General. In developing each child's IEP, the IEP Team must consider-- (i) The strengths of the child; (ii) The concerns of the parents for enhancing the education of their child; (iii) The results of the initial or most recent evaluation of the child; and (iv) The academic, developmental, and functional needs of the child." (2) Consideration of special factors. The IEP Team must-- (i) In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior; (ii) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP; (iii) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and

writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child; (iv) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and (v) Consider whether the child needs assistive technology devices and services. (3) Requirement with respect to regular education teacher. A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of -- (i) Appropriate positive behavioral interventions and supports and other strategies for the child; and (ii) Supplementary aids and services, program modifications, and support for school personnel consistent with 300.320(a)(4)...(6) Amendments. Changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or as provided in paragraph (a)(4) of this section, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated.

Section 300.503 of Title 34 states, (a) *Notice*. Written notice that meets the requirements of paragraph (b) of this section must be given to the parents of a child with a disability a reasonable time before the public agency-- (1) Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or (2) Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child. (b) Content of notice. The notice required under paragraph (a) of this section must include-- (1) A description of the action proposed or refused by the agency; (2) An explanation of why the agency proposes or refuses to take the action; (3) A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action; (4) A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; (5) Sources for parents to contact to obtain assistance in understanding the provisions of this part; (6) A description of other options that the IEP Team considered and the reasons why those options were rejected; and (7) A description of other factors that are relevant to the agency's proposal or refusal. (c) Notice in understandable language. (1) The notice required under paragraph (a) of this section must be-- (i) Written in language understandable to the general public; and (ii) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. (2) If the native language or other mode of communication of the parent is not a written language, the public agency must take steps to ensure-- (i) That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; (ii) That the parent understands the content of the notice; and (iii) That there is written evidence that the requirements in paragraphs (c)(2)(i) and (ii) of this section have been met.

The corresponding state requirement is found in State Board of Education Rule 6A-6.03028 of the Florida Administrative Code (F.A.C.).

CONCLUSIONS

1. The student's IEP was not revised after the student was assigned to █ Academy as an interim alternative educational setting. While enrolled there the student did not receive the ESE support in the general education classroom and ESE instruction in a Learning Strategies course as required by the IEP in effect at that time. The IEP was not revised to reflect the services to be provided at █ Academy, and prior written notice of the change in the provision of FAPE was not provided to the parent.
2. The IEP team considered the student's need for one-on-one of instruction, but prior written notice of the district's refusal to provide this service was not provided when this service was specifically requested by the complainants.
3. The special education and related services and accommodations included in the student's IEP provided for slowing the rate of instruction while still allowing the student to receive instruction in grade level SSS as required for students pursuing a standard diploma.
4. The IEP team considered the student's need for supplementary aids and services, and determined that none were needed. In addition, assistive technology evaluation requested by the complainants in January 2008 was completed in October 2008.
5. The IEP team considered the remediation and support needed to enable the student to achieve the annual goals, as well as the parents' concerns regarding the student's placement in specific courses or classes, when developing the IEP.
6. The student's IEP contained statements of how the student's disabilities impacted the student's progress in the curriculum. Those statements reflected information included in evaluations, conference notes, and correspondence provided to the district by the complainant. The special education and related services and accommodations included on the IEP addressed the impact of the disability.
7. Regarding the inclusion of baseline information for annual goals and a description of the objective measurements used for monitoring progress, the annual goals and methods for determining the student's progress towards the goals are sufficiently clear as to be observable and measurable. However, the complainants were not provided with reports of the student's progress toward the annual goals at least as often as parents of nondisabled students are informed of their students' progress or as indicated on the IEP.
8. In order to maintain the student's progress in the general curriculum the student was assigned unfinished class work to complete at home; no other homework was assigned. The student's teachers provided instruction in the course content and annual goals; there is no evidence that they relied on the student's private tutor to teach required skills.
9. The student was provided with supports in writing and for required essays in the form of instruction and accommodations.
10. On one occasion the student was required to take notes while watching a video. This was resolved by school staff; the student is not required to take notes simultaneously with watching a video for content.

CORRECTIVE ACTIONS

1. No later than March 15, 2009, the Manatee County School District shall provide comprehensive professional development for the appropriate faculty and staff at █ Middle School and █ Academy regarding the provision of written notice to parents prior to a

proposal or refusal to make a significant change in the provision of free appropriate public education (FAPE) to a student. Documentation regarding this training, including the content and list of participants, shall be provided to the Bureau no later than April 15, 2009.

2. Regarding the student's November 2, 2007, IEP not being revised after the student was assigned to ■ Academy from December 5, 2007, through March 25, 2008; the district shall be required to review the procedures and requirements regarding its responsibility for revising the student's IEP to reflect the correct ESE services being provided to the student based on the IEP team decisions, no later than March 15, 2009. Documentation of the contents of the review, with written signatures and titles, shall be provided to the Bureau no later than April 15, 2009.
3. The district shall ensure that parents are provided reports of the student's progress toward the annual goals at least as often as parents of nondisabled student are informed of their student's progress or as indicated on the student's IEP. No later than March 15, 2009, the district shall review its policies and procedures for reporting to parents their student's progress toward annual goals and provide professional development for the appropriate faculty and staff at ■ Middle School and ■ Academy. Documentation of this training, including the content and list of participants, shall be provided to the Bureau no later than April 15, 2009.
4. In addition, copies of all required progress reports for the remainder of the 2008-09 school year concerning the student referenced in the complaint shall be provided to the Bureau on February 15, 2009, April 15, 2009, and June 16, 2009.