

WYOMING DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION PROGRAMS DIVISION  
SPECIAL EDUCATION COMPLAINT INVESTIGATION

**Complaint Case:** C-001-22

**Decision Date:** March 18, 2022

**Public Agency:** Carbon County School District #2  
315 North 1st Street  
Saratoga, WY 82331

**Issues Investigated and Decision:**

Allegations specific to the named Student:

1. Whether the District provided the Student with a Free Appropriate Public Education (FAPE) consistent with the IDEA and its implementing regulations at 34 C.F.R. §§ 100.17 and 300.101. Specifically,
  - a. Whether the District timely conducted a special education evaluation consistent with its affirmative Child Find obligation pursuant to 34 C.F.R. § 300.111;

**WDE finds a violation. The District failed to meet its child find obligation.**

- b. Whether the District provided special education placement in conformity with the Least Restrictive Environment (LRE) requirements pursuant to 34 C.F.R. §§ 300.114 through 116; and

**WDE finds no violation. Placement was based on student need and was appropriately determined by the IEP team.**

- c. Whether the District provided special education services, related services, supplementary aids and services, and accommodations in accordance with the Student's IEP and Behavior Intervention Plan (BIP) as required by 34 C.F.R. §§ 300.320.

**WDE finds a violation. The District failed to provide special education and related services in conformity with the Student's IEP.**

2. Whether the District afforded the Complainant with the procedural protections outlined in the IDEA. Specifically,

a. Whether the District properly convened the Student's IEP team on January 12, 2022, consistent with 34 C.F.R. § 300.321;

**WDE finds a violation. The IEP Meeting did not include a regular education teacher of the child.**

b. Whether the District provided the Complainant the opportunity to participate in the IEP process consistent with 34 C.F.R. §§ 300.322, 300.327; and

**WDE finds a violation. The Complainant was denied participation in the IEP process when one of the mandatory IEP team members was not in attendance at the IEP meeting.**

c. Whether the District provided prior written notice consistent with 34 C.F.R. § 300.503.

**WDE finds no violation. The District provided PWN when required.**

Allegations of systemic noncompliance affecting other students with disabilities attending the School within the District:

3. Whether the School provided special education services, related services, supplementary aids and services, and accommodations in conformity with IEPs as required by 34 C.F.R. §§ 300.320.

**WDE finds a violation. The School failed to provide services in conformity with IEPs.**

The district is required to correct the identified violations via a corrective action plan. The WDE will monitor and document compliance with the corrective action order. Once all corrective action is complete, the WDE will close the case.