

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

**Complaint Case:** C-004-22

**Decision Date:** April 26, 2022

**Public Agency:** Wyoming Virtual Academy  
Niobrara School District #1  
322 West 5<sup>th</sup> Street  
Lusk, WY 82225

**Issues Investigated and Decision:**

1. Whether the District complied with the IDEA's procedural requirements for Prior Written Notice (PWN) by including all necessary components as required by 34 C.F.R. §300.503 when issuing the PWN dated October 26, 2021.

**WDE finds no violation of the PWN requirements.**

2. Whether the District provided Complainants the opportunity to participate in the IEP process and IEP team decisions by scheduling an IEP team meeting at a mutually agreeable time consistent with 34 C.F.R. §§ 300.322 and 300.327.

**WDE finds a procedural violation when the District failed to work cooperatively to schedule a meeting and indicated the meeting would be held without Complainants' attendance.**

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.