

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

Complaint Case: C-023-21

Decision Date: December 17, 2021

Public Agency: Park County School District #6
160 North Evarts Street
Powell, WY 82435

Issues Investigated and Decision:

1. Whether the District denied the Student a Free Appropriate Public Education (FAPE) pursuant to 34 C.F.R. §§ 300.17 and 300.101. Specifically,

a. Whether the District developed and implemented an IEP to address the Student's unique educational, behavioral, and emotional needs to enable the Student to be involved in and make progress in the general curriculum as required by 34 C.F.R. § 300.320(a);

WDE finds no violation. The IEP addressed the Student's needs and documented progress.

b. Whether the District conducted a comprehensive evaluation in all suspected areas of disability, sufficient to identify all special education needs as required by 34 C.F.R. §§ 300.303 through 305;

WDE finds no violation. The IEP team had sufficient information to identify all of the Student's needs.

c. Whether the District appropriately determined the Student's placement consistent with the student's unique needs and the Least Restrictive Environment (LRE) requirements pursuant to 34 C.F.R. §§ 300.114 through 300.117; and

WDE finds no violation. The Student's placement was modified based on Student need and was appropriately determined by the IEP team.

d. Whether the District provided the Student with all IDEA protections consistent with 34 C.F.R. § 300.530 when the Student was removed to in-school suspension and her school day was shortened.

WDE finds no violation. There is no indication the Student attended on a shortened school day. The District appropriately followed the IDEA discipline procedures and provided the Student with the IDEA protections.

2. Whether the District complied with the IDEA's procedural requirements. Specifically,
- a. Whether the District provided services and supports consistent with the Student's IEP as required by 34 C.F.R. § 300.320;

WDE finds no violation. The District provided services consistent with the Student's IEP.

- b. Whether the District sought the Complainant's informed consent prior to conducting behavioral assessments as required by 34 C.F.R. §§ 300.300; and

WDE finds a violation. The District conducted behavior assessments without the informed consent of the Parent.

- c. Whether the District provided the Complainant the opportunity to meaningfully participate in the IEP process and IEP team decisions consistent with 34 C.F.R. §§ 300.322, 300.324(a), and 300.327;

WDE finds no violation. The Complainant actively participated in the IEP process and team decisions.

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.