

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

Complaint Case: C-001-23

Decision Date: March 24, 2023

Public Agency: Laramie County School District #1

Issues Investigated and Decision:

1. Whether the District provided the Student a free appropriate public education (FAPE) in conformity with 34 C.F.R. §300.17 and 300.101. Specifically,

- a. Whether the District developed and implemented an individualized education program (IEP) to meet the Student's unique educational, emotional, behavioral, and transportation needs as required by 34 C.F.R. §300.320.

The District failed to provide an IEP for the Student that addresses all educational needs, including behavior and transportation. WDE finds the District in violation.

- b. Whether the District reviewed and revised the Student's IEP to address a lack of progress consistent with 34 C.F.R. §300.324(b) when the Student experienced a lack of academic and/or behavioral progress and failing grades.

The District failed to timely and appropriately address lack of behavioral progress in the School setting. WDE finds the District in violation.

- c. Whether the District acted within the authority afforded to school personnel when it removed the Student from school for disciplinary reasons on several occasions as required by 34 C.F.R. §§300.530 through 300.536.

The District exceeded its authority when it removed the Student for more than 10 school days without affording the Student the mandated protections in the IDEA. WDE finds the District in violation.

2. Whether the District complied with the procedural requirements of IDEA. Specifically,

- a. Whether the District had an IEP in place on the first day of school as required by 34 C.F.R. §300.323 when the 2022-23 school year commenced.

The District failed to have an IEP in place on the first day of school. WDE finds a violation.

- b. Whether the District appropriately responded to the Parent's request for reevaluation in November 2022 in conformity with 34 C.F.R. §300.303(a)(2).

The IDEA does not mandate a specific timeframe in which a reevaluation must be completed. WDE finds no violation.

- c. Whether the District provided the Complainant with a copy of the Student's IEP consistent with 34 C.F.R. §300.322(f) after the November 2022 meeting.

The Student's record contains no IEP dated November 2022. WDE finds no violation.

- d. Whether the District provided the Complainant with Prior Written Notice (PWN) as required by 34 C.F.R. §300.503 when amending the Student's IEP in November 2022.

The Student's record contains no IEP amendment dated November 2022. WDE finds no violation.

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.