

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

Complaint Case: C-009-23

Decision Date: August 1, 2023

Public Agency: Carbon County School District #1

Issues Investigated and Decision:

1. Whether the District denied the Parent meaningful participation at the IEP meeting, specifically by failing to provide the Parent a draft IEP prior to the meeting, pursuant to 34 C.F.R. §§ 300.322(b) and 300.324(a)(1)(ii).

WDE finds no violation. The District was not required to provide the draft IEP or the evaluation report prior to the March 30, 2023 IEP meeting. Thus, the Complainant was afforded the opportunity to meaningfully participate.

2. Whether the District was required to complete an assistive technology assessment and failed to do so, resulting in a denial of FAPE, pursuant to 34 C.F.R. §§ 300.101; 300.323(a); and 300.303(a)(2).

WDE finds a violation. The District failed to complete the AT assessment in a timely manner. However, the untimeliness does not result in a denial of FAPE.

3. Whether the District properly implemented the Student's IEP according to its terms, specifically, by providing the Student with the AT device identified in the Student's IEP, pursuant to 34 C.F.R. § 300.320(a).

WDE finds a violation. Although the terms of the April 2022 IEP lacked the necessary specificity regarding the use of an AT device, the District failed to provide a tablet or similar device for the Student to utilize in the school and home settings as agreed upon at the May 2022 transition meeting and memorialized in the May 2022 PWN.

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.