

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

**Complaint Case:** C-007-24

**Public Agency:** Natrona County School District #1

**Issues Investigated and Decision:**

1. Whether the District provided the Student FAPE in conformity with 34 C.F.R. §§ 300.17 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 developed and implemented an IEP and BIP reasonably calculated to enable the Student to make progress appropriate in light of their circumstances, pursuant to 34 C.F.R. §§ 300.320 and 300.324.

**WDE finds a violation. The District failed to develop an IEP and BIP reasonably calculated to enable the Student to make progress appropriate in light of their circumstances.**

c. 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 behavioral progress.

**WDE finds no violation. The District had no obligation, pursuant to 34 C.F.R. § 300.324(b), to revise the IEP the same day it was first created.**

d. Whether the District afforded the Student all protections for disciplinary removals under the IDEA consistent with 34 C.F.R. §§ 300.530 through 300.536.

**WDE finds a violation. The Student's placement did change because of disciplinary removals.**

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

- a. Whether the District failed to conduct an initial evaluation upon request from the Complainant to determine if the Student qualifies as a child with a disability within 60 days of receiving informed parental consent, pursuant to 34 C.F.R. § 300.301.

**WDE finds no violation. The District conducted the initial evaluation within 60 days of receiving informed parental consent.**

- b. Whether the District appropriately responded to the Complainant's request for an IEE at public expense or requested a due process hearing, pursuant to 34 C.F.R. § 300.502.

**WDE finds a violation. The District failed to provide the information about where an IEE may be obtained and the criteria applicable for an IEE.**

- c. Whether the District properly implemented the Student's IEP and BIP according to its terms, specifically, by providing ESY services and supervising the Student during unstructured times, pursuant to 34 C.F.R. § 300.320(a).

**WDE finds no violation. The District implemented the Student's April 26, 2023, IEP and BIP according to its terms.**

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.