

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

**Complaint Case:** C-009-24

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

**Issues Investigated and Decision:**

**Decision Pertaining to Student A:**

1. Whether the District provided the Student FAPE consistent with the IDEA and its implementing regulations at 34 C.F.R. §§ 100.17 and 300.101. Specifically,

- a) Whether the District developed and implemented an IEP that was reasonably calculated to result in educational benefit in light of the Student's unique educational needs consistent with 34 C.F.R. § 300.320.

**WDE finds no violation. The Student's IEPs were reasonably calculated to result in educational benefit in light of the Student's unique educational needs.**

- b) Whether the District provided a placement for the Student in the LRE consistent with 34 C.F.R. §§ 300.114 through 300.117.

**WDE finds the District in violation. The District made the LRE decision based on its service delivery model rather than the unique needs of the Student.**

- c) Whether the District proposed and provided FAPE, including ESY service to the Student upon reenrollment in the District in May 2023.

**WDE finds the District in violation. The District failed to make ESY available to the Student after his reenrollment in the District.**

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

- a) Whether the District provided the Complainants with prior written notice as required by 34 C.F.R. § 300.503.

**WDE finds no violation. The District appropriately provided prior written notice.**

- b) Whether the District had an IEP in effect at all times as required by 34 C.F.R. §§ 300.323 and 300.324(b), including the first day of the 2023-24 school year.

**WDE finds the District in violation. The District failed to have an IEP in effect for the Student during the summer of 2023 for ESY purposes and failed to have an IEP in effect at the beginning of the school year.**

- 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) after Complainants expressed concerns in November 2022.

**WDE finds no violation. The District's response to the Student's limited progress was adequate.**

**Decision Pertaining to Student B:**

Whether the District provided a placement for Student B in the LRE consistent with 34 C.F.R. §§ 300.114 through 300.117.

**WDE finds the District in violation. The District made the LRE decision based on its service delivery model rather than the unique needs of the Student.**

**Decision Pertaining to the Students in the Classroom:**

Whether the District provided special education service during the 2022-23 and 2023-24 school years to students in the classroom at the School using fully certified staff that meet the requirements outlined in 34 C.F.R. § 300.156 and Wyoming credentialing requirements.

**WDE finds the District in violation. The District utilized paraprofessionals to provide instruction in contravention of the IDEA and WDE requirements.**

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.