

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

Complaint Case: C-015-24

Public Agency: Crook County School District

Issues Investigated and Decision:

1. Whether the District appropriately determined eligibility of the Student. Specifically,
 - a. Whether the District conducted a comprehensive evaluation of the Student by using a variety of assessment tools and strategies to gather relevant information about Student, including information provided by Complainant, pursuant to 34 C.F.R. § 300.304.

WDE finds a violation. The evaluation was not comprehensive in that it did not assess the Student in all areas related to the suspected disability and identify all of the Student's special education needs.

- b. Whether the District drew upon information from a variety of sources, including parent input, and ensured the information obtained was documented and carefully considered, pursuant to 34 C.F.R. § 300.306(c).

WDE finds a violation. Without a comprehensive evaluation, the District was unable to draw upon information from a variety of sources to determine the Student's eligibility category.

2. Whether the District provided the Student FAPE in conformity with 34 C.F.R. § 300.17 and 300.101. Specifically,
 - a. Whether the District developed and implemented an IEP reasonably calculated to enable the Student to make progress appropriate in light of their circumstances, pursuant to 34 C.F.R. § 300.320.

WDE finds a violation. Without a comprehensive evaluation, the District was unable to develop and implement an IEP reasonably calculated to enable the Student to receive an educational benefit.

- b. Whether the District provided a placement for the Student in the LRE, pursuant to 34 C.F.R. §§ 300.114 through 300.117.

WDE finds a violation. The District should have utilized supplementary aids and services in the regular education classroom prior to changing the Student's placement.

- c. Whether the District developed an IEP that provided ESY services based on the Student's individual needs, pursuant to 34 C.F.R. § 300.106(a).

WDE finds no violation. ESY services were determined based on the Student's individual needs.

- 3. Whether the District complied with the procedural requirements of the IDEA. Specifically,
 - a. Whether the Complainant was provided a meaningful opportunity to participate in the development of Student's IEP, pursuant to of 34 C.F.R. §§ 300.321; 300.322; and 300.501.

WDE finds a violation. The District did not provide the Complainant a meaningful opportunity to participate in the development of Student's November IEP Amendment.

- b. Whether the District considered the results of the IEE when making decisions with respect to the provision of FAPE to the Student, pursuant to 34 C.F.R. § 300.502(c)(1).

WDE finds a violation. The District did not consider the results of all IEEs obtained and provided by the Complainant.

- c. Whether the District properly implemented the Student's IEP, specifically by monitoring progress and providing periodic reports to Parent, according to the terms of the IEP, pursuant to 34 C.F.R. § 300.320(a)(3).

WDE finds no violation. Periodic reports were provided to the Complainant.

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.