

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

Complaint Case: C-017-24

Public Agency: Albany County School District #1

Issues Investigated and Decision:

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

a. Whether the District acted within its authority and afforded the Student all of the procedural safeguards outlined in the IDEA's discipline provisions consistent with 34 C.F.R. §§ 300.530 through 300.536 when imposing discipline for incidents that occurred in 2023 and 2024.

WDE finds no violation. The District acted within its authority when imposing Student discipline.

b. Whether the District developed 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 District proposed and provided IEPs reasonably calculated to provide educational benefit in light of the Student's unique, complex circumstances.

c. Whether the District provided services and supports, including the BIP in conformity with the Student's IEP as required by 34 C.F.R. § 300.17.

WDE finds a violation. The District failed to amend the Student's IEP to reflect the change of placement to the community-based program.

d. Whether the District provided special education placements for the Student in conformity with the LRE requirements pursuant to 34 C.F.R. §§ 300.114 through 300.117.

WDE finds no violation. The District provided a series of placements based on the then known educational needs of the Student and professional recommendations from outside experts.

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

- a. Whether the District provided the Complainant prior written notice as required by 34 C.F.R. § 300.503 when it sought consent to reevaluate the Student in accordance with 34 C.F.R. § 300.300.

WDE finds the District in violation for failing to provide PWN in February and May of 2023.

- b. Whether the District provided the Complainant a meaningful opportunity to participate in IEP meetings and placement decisions as required by 34 C.F.R. §§ 300.321, 300.322 and 300.327.

WDE finds no violation. The Complainant was an active and meaningful participant in special education decisions.

- c. Whether the District sought consent for evaluations from the IDEA parent with the authority to offer consent pursuant to 34 C.F.R. § 300.300.

WDE finds a violation. The District erroneously relied on the signature of the DFS caseworker to obtain consent. The error was acknowledged by the District.

- d. Whether the District shared the Student's confidential special education records without parental consent as required by 34 C.F.R. § 300.622.

WDE finds a violation. The District erroneously relied on the signature of the DFS caseworker when releasing confidential information. The error was acknowledged by the District.

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.