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

Complaint Case: C-003-25

Public Agency: Albany 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 properly implemented the Student's IEP according to its terms, specifically by providing "weekly parent communication," pursuant to 34 C.F.R. §§ 300.320 through 300.324.

      WDE finds no violation. There was no material failure to implement the Student's IEP.

   b. Whether the District developed an IEP reasonably calculated to enable the Student to make progress appropriate in light of their circumstances, pursuant to 34 C.F.R. §§ 300.106, 300.320, and 300.324; and

      WDE finds no violation. The April 25, 2024 IEP is reasonably calculated to enable the Student to make progress appropriate in light of their circumstance.

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

   a. Whether the District provided PWN a reasonable time before the District proposed or refused to initiate or change the identification, evaluation, educational placement, or provision of FAPE of Student, pursuant to 34 C.F.R. § 300.503.

      WDE finds a violation. District failed to provide PWN prior to implementing a new annual IEP for Student. In addition, District's practice of implementing an IEP prior to providing PWN is not in conformity with the IDEA.

   b. Whether the District policy and/or practice is in conformity with the IDEA when determining a child is no longer a child with a disability, pursuant to 34 C.F.R. § 300.305(e).

WDE finds no violation. District's policy is in conformity with the IDEA.

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.