

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

Complaint Case: C-013-25

Public Agency: Behavioral Health Division

Issues Investigated and Decision:

1. Whether the BHD met its child find obligation consistent with 34 C.F.R. § 300.111 upon enrollment the Student in the Center with an IEP from another state in November 2023 without providing comparable services, conducting a comprehensive initial evaluation for the purpose of an initial eligibility determination, and promptly proposing ad IEP to meet all of the Student's educational needs as required by 34 C.F.R. § 300.323(f).

WDE finds the BHD to be in violation of its child find duty by waiting over seven months to complete the initial evaluation of the Student to determine eligibility in Wyoming and the contents of the Student's IEP.

2. Whether the BHD provided a FAPE consistent with the IDEA and its implementing regulations at 34 C.F.R. §§ 100.17 and 300.101. Specifically, whether the BHD, through the Center, proposed and implemented and IEP that was reasonably calculated to result in educational benefit based on the Student's unique educational and functional needs in early 2024 as required by 34 C.F.R. §§ 300.17, 300.101, and 300.320(a).

WDE find no violation. The BHD provided special education services and supports reasonably calculated to result in educational benefit based on the Student's unique needs.

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.