

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

Complaint Case: C-012-26

Public Agency: Sweetwater County School District #1

Issues Investigated and Decision:

1. Whether the District provided students in the Special Programs FAPE in conformity with 34 C.F.R. §§ 300.17 and 300.101. Specifically,

a. Whether changes to students' IEPs were made in accordance with IDEA requirements, specifically whether revisions were made through the IEP team process and based on each student's individual academic, developmental, and functional needs, as required by 34 C.F.R. §§ 300.321-324.

WDE finds no violation. IEP team meetings were properly constituted.

b. Whether special education services were based on student's individualized needs and not on the school's general master schedule, as required by 34 C.F.R. § 300.320.

WDE finds a violation. The prior IEPs were not reasonably calculated to enable the students to make progress appropriate in light of their circumstances.

c. Whether students were afforded the opportunity to participate in elective classes with the supplementary aids and services necessary to access the setting, consistent with 34 C.F.R. §§ 300.114(a); 300.116; 300.117; and 300.320(a)(4).

WDE finds a violation. Two (2) students were not afforded the opportunity to participate in a general education class without prior

consideration of whether supplementary aids and services could support access to that setting.

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

- a. Whether changes to students' IEPs were made outside of an IEP team meeting, pursuant to 34 C.F.R. § 300.324(a)(4), and, if so, whether notification was provided consistent with 34 C.F.R. §§ 300.324(a)(4)(ii) and 300.503.

WDE finds a violation. Prior written notices do not accurately reflect or provide explanation of the decisions made.

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.