

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

Complaint Case: C-024-26

Public Agency: Behavioral Health Division and CRC Sweetwater 1

Issues Investigated and Decision:

1. Whether the BHD complied with IDEA's procedural requirements. Specifically,
 - a. Whether the BHD appropriately considered information provided by the Complainants in conformity with 34 C.F.R. § 300.304(b)(1), including results from the independent education evaluation completed in March 2026; Complainant provided sensory profile; and Daycare documentation from the Complainants.

WDE finds a violation. The BHD reviewed the results of the IEE but a fundamental misinterpretation of assessment scores led to inappropriate application during the eligibility determination; Complainant did not provide a sensory profile; therefore, the BHD could not consider this information; Daycare information was appropriately considered.

- b. Whether the BHD conducted a comprehensive evaluation consistent with its proposal and for which consent was obtained pursuant to 34 C.F.R. § 300.300.

WDE finds a violation. The BHD improperly sought the Complainant's consent for the IEE and proceeded to conduct additional evaluations it did not have consent to conduct.

- c. Whether the BHD provided the Complainants with access to the Student's education records consistent with 34 C.F.R. § 300.613, when the Complainants requested copies of session notes and behavioral documentation.

WDE finds no violation. The BHD provided Complainants with access to the Student's education records.

The BHD 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.