

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

Complaint Case: C-025-26

Public Agency: Park County School District 6

Issues Investigated and Decision:

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

- a. Whether the District afforded meaningful parental participation, including providing a copy of IDEA procedural safeguards in conformity with 34 C.F.R. §§ 300.321, 300.322 300.501, and 300.504.

The WDE finds that the District violated the IDEA's requirement to enable a parent to meaningfully participate when it improperly informed Parents that eligibility decisions are not based on a consensus model and that the evaluators determine eligibility.

- b. Whether the District considered the use of positive behavioral interventions and supports and other strategies to address the behavior of a child which impeded Student's learning or that of others in conformity with 34 C.F.R. § 300.324(a)(2)(i).

WDE finds that the District did not violate the IDEA because it did not need to consider the use of positive behavioral interventions and supports and other strategies to address the Student's behavior which impeded their learning and resulted in multiple disciplinary removals because the duty to do so was not yet ripe.

- c. Whether the District imposed disciplinary actions on Student while having a basis of knowledge to suspect that Student was a student with a disability in conformity with 34 C.F.R. § 300.534 (a-b).

WDE finds that the District violated the IDEA because it imposed disciplinary actions including out-of-school suspensions, in-school suspensions, and a change to an alternate placement beginning March 3, 2026 while having a basis of knowledge to suspect that Student was a student with a disability and the Student was entitled to protections under the IDEA.

- d. Whether the District, within 10 school days of a decision to change the placement of Student because of a violation of the code of student conduct, held a manifestation determination meeting and completed an FBA if required and developed or revised a behavioral intervention plan in conformity with 34 C.F.R. § 300.530.

WDE finds that the District violated the IDEA because the District made a disciplinary change of placement after removing the Student from the general education setting for more than 10 cumulative days, despite a clear pattern, without holding a manifestation determination review.

- e. Whether the District ensured that it assessed Student in all areas related to the suspected disability, that the evaluation included a _____ and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the Parent in conformity, and was sufficiently comprehensive to identify all of the Student's special education and related services needs in conformity with 34 C.F.R. § 300.304.

WDE finds that the District did not violate the IDEA because the District assessed the Student in all areas related to the suspected disability.

- f. Whether the District ensured that eligibility decisions were made by a qualified group of professionals and parents, drawing upon information from a variety of sources including parental input in conformity with 34 C.F.R. § 300.306.

WDE finds that the District violated the IDEA because the District improperly believed that eligibility determinations were not based on a consensus model but were based on the opinions of the evaluators.

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.