

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

Complaint Case: C-028-26

Public Agency: Laramie County School District 1

Issues Investigated and Decision:

1. Whether the District provided the Student a FAPE in conformity with 34 C.F.R. §§ 300.17 and 300.101. Specifically:
 - a. Whether the District ensured the Complainants were afforded the opportunity to participate in the IEP process, including communicating with the Student's general education teacher(s) after a communication plan was put in place, pursuant to 34 C.F.R. §§ 300.322 and 300.501(b)(c).

WDE finds no violation. Complainants were afforded the opportunity to participate in the IEP process, including communicating with the Student's general education teacher(s).

- b. Whether the District ensured the Complainants were members of the group that made the educational placement decisions for the Student. Whether the District ensured, to the maximum extent appropriate, the Student was educated with students who were not disabled. Whether the District ensured a continuum of alternative placements were available to meet the needs of the Student when they placed the Student in the Program, pursuant to 34 C.F.R. §§ 300.114(a)(2), 300.115, and 300.327.

WDE finds no violation. Complainants were members of the group that made the educational placement decisions for the Student; for ensuring, to the maximum extent appropriate, the Student was educated with students who were not disabled; and for ensuring a continuum of alternative placements were available to meet the needs of the Student when they placed the Student in the Program.

- c. Whether the District provided the Complainants with PWN that included all required components and addressed the Complainant's request to

remove alternative assessments from the Student's IEP, pursuant to 34 C.F.R. § 300.503(a)(b).

WDE finds no violation. The District provided the Complainants with PWN that included all required components and addressed the Complainant's request to remove alternative assessments from the Student's IEP.

- d. Whether the District ensured the Student's IEP was implemented as written and provided the Student with the required instructional time in the general education setting, pursuant to 34 C.F.R. § 300.323(a)(d).

WDE finds no violation. Complainant 1 reported the Student was observed to be “isolated” from their peers in the general education setting on two occasions, which does not constitute a material failure. WDE finds the District in compliance with ensuring the Student's IEP was implemented as written and providing the Student with the required instructional time in the general education setting.

- e. Whether the District ensured the Student's IEP included a statement of the Student's present levels of academic achievement, specifically from the general education teacher. Whether the District ensured the Student's IEP contained a statement of what services were being provided, an explanation of the extent to which the Student was not participating with nondisabled peers, a statement of why the Student required an alternative assessment, and which alternate assessment was required. Additionally, whether the District ensured the IEP contained the concerns of the Complainants for enhancing the education of the Student, pursuant to 34 C.F.R. §§ 300.320(a) and 300.324.

WDE finds no violation. The Student's IEP included a statement of the Student's present levels of academic achievement, specifically from the general education teacher; a statement of what services were being provided, an explanation of the extent to which the Student was not participating with nondisabled peers, a statement of why the Student required an alternative assessment, and which alternate assessment was required; and ensuring the IEP contained the concerns of the Complainants for enhancing the education of the Student.