

## BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of	)	FINDINGS OF FACT,
St. Helens School District 502	)	CONCLUSIONS,
	)	AND FINAL ORDER
	)	Case No. 25-054-015

### I. BACKGROUND

On March 6, 2025, the Oregon Department of Education (the Department) received a written request for a special education complaint (Complaint) from the parent (Parent) of a student (Student) residing in the St. Helens School District (District). The Parent requested that the Department conduct a special education investigation under OAR 581-015-2030. The Department confirmed receipt of this Complaint and forwarded the request to the District.

Under state and federal law, the Department must investigate written complaints that allege violations of the Individuals with Disabilities Education Act (IDEA) and issue an order within sixty days of receipt of the complaint.<sup>1</sup> This timeline may be extended if the Parents and the District agree to the extension to engage in mediation or local resolution or for exceptional circumstances related to the complaint.<sup>2</sup>

On March 14, 2025, the Department's Complaint Investigator sent a *Request for Response (RFR)* to the District identifying specific allegations in the Complaint to be investigated and establishing a *Response* due date of March 28, 2025. On March 28, 2025, the District submitted a *Response*, disputing the allegations described in the Complaint. The District submitted the following relevant items:

1. District *Response*, 3/28/2025
2. Notice of Team Meeting, 2/27/2025
3. Notice of Team Meeting, 3/5/2025
4. Notice of Team Meeting, 3/6/2025
5. Email: Re: Meeting notice for 4-1-25 at 11:00am, 3/5/2025
6. Email: Re: Meeting notice for 4-1-25 at 11:00am, 3/5/2025
7. Email: Re: Meeting notice for 4-1-25 at 11:00am, 3/6/2025

On March 28, 2025, the Parents submitted a written response to the District's March 28, 2025, *Response* and materials.

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<sup>1</sup> OAR 581-015-2030(12) and 34 CFR § 300.152(a)

<sup>2</sup> OAR 581-015-2030(12) and 34 CFR § 300.152(b)

The Department’s Complaint Investigator determined that interviews were not necessary in this matter. The Complaint Investigator reviewed and considered all these documents, interviews, and exhibits in reaching the findings of fact and conclusions of law contained in this order. This order is timely.

## II. ALLEGATIONS AND CONCLUSIONS

The Department has jurisdiction to resolve this Complaint under 34 CFR §§ 300.151-153 and OAR 581-015-2030. The Parents’ allegations and the Department’s conclusions are set out in the chart below. The conclusions are based on the Findings of Fact in Section III and the Discussion in Section IV. This Complaint covers the one-year period from March 7, 2024, to the filing of this Complaint on March 6, 2025.

Allegations	Conclusions
<p><b>Parent Participation—General/IEP Team</b></p> <p>It was alleged that the District violated the IDEA when:</p> <ol style="list-style-type: none"> <li>1. IEP team meeting notices sent to the Parent on February 27, 2025, March 5, 2025, and March 6, 2025,               <ol style="list-style-type: none"> <li>a. Did not include a list of individuals who would attend the IEP team meeting,</li> <li>b. Did not include the appropriate attendees for an IEP team meeting,</li> <li>c. Failed to properly identify the required meeting attendees,</li> <li>d. Failed to list the Parents as required IEP team members; and,</li> <li>e. Failed to identify the District’s representative for the meeting in the February 27, 2025, IEP team meeting notice.</li> </ol> </li> <li>2. Additionally, it is alleged that the above-mentioned alleged deficiencies in IEP team meeting notices deprived the Parents of a meaningful opportunity to participate in their child’s IEP team meetings.</li> </ol> <p>(OAR 581-015-2190; 34 CFR § 300.500, § 300.327 &amp; § 300.501(b) and, OAR 581-015-2210(1); 34 CFR § 300.344, § 300.321, § 300.324(a)(3) &amp; (b)(3))</p>	<p><b>Not Substantiated</b></p> <ol style="list-style-type: none"> <li>a. The notices sent by the District did include a list of meeting attendees.</li> <li>b. The notice issued by the District on February 27, 2025 did not include the required IEP team members. The District reissued that notice on March 5, 2025, with the required IEP team members listed.</li> <li>c. The District sent the meeting notice to the Parents affording them an opportunity to attend.</li> <li>d. The February 27, 2025 IEP team meeting notice did identify that the District intended to invite a district representative.</li> </ol> <p>The meeting notice sent to the Parent included all of the statutorily required information, sufficiently in advance of the meeting date that was mutually agreed upon.</p>

<b>REQUESTED CORRECTIVE ACTION</b>
<p>The Parents request that the District:</p> <ul style="list-style-type: none"><li>• Revise IEP team meeting notice procedures to ensure compliance with IDEA and relevant state law.</li><li>• Provide staff training on legal requirements regarding IEP team members and procedural safeguards.</li><li>• Monitor compliance by requiring the District to submit corrected templates for IEP meeting notices to the Department within 30 days of the date of this order.</li></ul>



### III. FINDINGS OF FACT

1. The Student attends high school in the District and is eligible for special education.
2. On February 27, 2024, the District sent an email to the Parents thanking them for their prompt response about their availability to meet to review the Student's evaluation results. The District noted that attached with the email was a Notice of Team Meeting for the April 1, 2025 IEP meeting.
3. On February 27, 2025, the District sent the Parents a Notice of Team Meeting, for an IEP team meeting scheduled for April 1, 2025. The notice was sent to the Parents and the Student. The notice included a list of invited participants that included the Student's Special Education Teacher, a District Representative, the Vice Principal, School Psychologist, Student Services Coordinator, and Occupational Therapist.
4. The February 27, 2025 Notice of Team Meeting indicated the purpose of the meeting was to discuss evaluation results. The notice indicated the time, date, and place of the meeting. The notice also indicated that the Parents could invite others not listed on the invitation to the meeting.
5. On February 27, 2025, the Parents, responding to the District's email of the same day, wrote that the Parents' Advocate was missing from the list of individuals invited to the IEP team meeting. The Parents asked that the District change the Notice of Team Meeting to include the Advocate's name under the list of individuals invited to the IEP team meeting.
6. On March 5, 2025, the Parents reiterated their February 27, 2025, request to have the District add the Parents' Advocate to the list of individuals invited to the Student's IEP team meeting.

7. On March 5, 2025, the District, responding to the Parents, wrote that “parents are not required to be listed below since the meeting notice is going to them.” The District noted that the Parents’ Advocate was added, along with the Student’s teachers. With the email, the District attached the updated meeting notice.
8. On March 5, 2025, the District sent the Parents a Notice of Team Meeting for an IEP team meeting scheduled for April 1, 2025. The notice included a list of invited participants that included the Student’s Special Education Teacher, the District’s Representative, the Vice Principal, School Psychologist, Student Services Coordinator, Occupational Therapist, Parent Advocate, and three of the Student’s general education teachers.
9. The March 5, 2025 notice indicated the purpose of the meeting was to discuss evaluation results. The notice indicated the time, date, and place of the meeting. The notice also indicated that the Parents could invite others, not listed on the invitation, to the meeting.
10. On March 5, 2025, the Parents sent an email to the District stating in part that “parents are required team member [*sic*], and the meeting notice must list all attendees, including the parents.” The Parents requested that the District issue a meeting notice listing the Parents as participants.
11. On March 5, 2025, the Parents wrote in relevant part that “all members are listed under the ‘invited’ section without distinguishing between required and optional attendees.” The Parent continued writing that “the meeting notice must explicitly list the required IEP team members . . .” and that the District representative “must be clearly identified by name and titles on the meeting notice.” The Parents asked that the District update the meeting notice “to reflect compliance with both federal and state requirements.”
12. On March 6, 2025, the District, responding to the Parents’ email, thanked them for their communication regarding the meeting notice and its content and form. The District observed that the meeting notice was corrected to include “who the District Representative will be at the meeting.” The District included in the email the text of the relevant Oregon Administrative Rule regarding meeting notice.
13. On March 6, 2025, the District sent the Parents a Notice of Team Meeting, for an IEP team meeting scheduled for April 1, 2025. The notice included a list of invited participants that included the Student’s Special Education Teacher, the District’s Representative, three of the Student’s general education teachers, the Vice Principal, the School Psychologist, the Occupational Therapist, and the Parents’ Advocate.
14. The March 6, 2025 notice indicated the purpose of the meeting was to discuss evaluation results. The notice indicated the time, date, and place of the meeting. The notice also indicated that the Parents could invite others, not listed on the invitation, to

the meeting

15. On March 6, 2025, the Parents filed this Complaint.
16. On March 28, 2025, the District submitted its *Response*.
17. On March 28, 2025, the Parents submitted their *Reply* to the District's *Response*.

#### IV. DISCUSSION

##### **Parent Participation—General**

The Parents alleged that the District violated the IDEA when IEP team meeting notices sent to the Parent on February 27, 2025, March 5, 2025, and March 6, 2025, were deficient in a variety of ways including: not including a list of individuals who would attend the IEP team meeting; not including the appropriate attendees for an IEP team meeting; failing to properly identify the required meeting attendees; failing to list the Parents as required IEP team members; and, failing to identify the District's representative for the meeting in the February 27, 2025, IEP team meeting notice. Additionally, the Parents alleged that these alleged deficiencies in IEP team meeting notices deprived the Parents of a meaningful opportunity to participate in their child's IEP team meetings.

School districts must ensure that the IEP team for each child with a disability includes one or both parents, the child where appropriate, at least one regular education teacher of the child, and at least one special education teacher of the child. In addition, a district must ensure the attendance of a representative of the district qualified to provide or supervise the provision of specially designed instruction, knowledgeable about the general education curriculum, knowledgeable about district resources, and who is authorized to commit district resources and ensure that services outlined in the IEP will be provided. Additionally, the team must include an individual, who may also be another team member, who can interpret the instructional implications of evaluation results. The team may also include individuals invited by the parents whom they determine have special knowledge or expertise regarding the child, and by the school district, whom the district determines have knowledge or expertise regarding the child.<sup>3</sup>

School districts must provide parents with an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of their child, and the provision of a free appropriate public education for their child. The written meeting notice, sent to the parents sufficiently in advance to ensure parents have an opportunity to attend the meeting, is one means by which districts ensure that parents have an opportunity to participate. Districts may conduct a meeting without a parent in attendance if the district has given the parent appropriate

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<sup>3</sup> OAR 581-015-2210(1)(a)—(1)(g)

notice.<sup>4</sup> The written notice sent by the district must state the purpose, time, and place of the meeting and who will attend. The notice must inform the parent that they may invite other individuals whom they believe have knowledge or special expertise regarding the child.<sup>5</sup>

The district's notice to the parent must identify everyone who will attend the IEP meeting. "[T]he notice must indicate the purpose, time, and location of the meeting and who will be in attendance."<sup>6</sup> "[I]f possible, the agency should give the name and position of each person who will attend the IEP Team meeting. However, OSEP has advised that a public agency can satisfy this requirement by indicating the positions, and not the names, of those individuals.<sup>7</sup> The purpose of the notice is to provide the parent with notice of "who will be in attendance."<sup>8</sup>

The purpose of the meeting notice is two-fold, to provide parents with an opportunity to participate in meetings and provide notice to the parent of who will attend. That notice need not specifically identify all members of the IEP team, only those the district intends to invite. The notice should inform the parent that they may likewise invite others with knowledge or expertise about the child. In this case, the notices issued by the District on March 5, 2025 and March 6, 2025 include all the information required by law. The notice initially issued on February 27, 2025 did not identify a regular education teacher of the child or special education teacher of the child. The notice did list that a district representative would be present, but did not name that individual. The District updated the February 27, 2025 notice with the issuance of the March 5, 2025 notice. The March 5, 2025 notice included the addition of a general education teacher of the child, and special education teacher of the child. The notices otherwise are addressed to the Parents, include the time, date, and purpose of the meeting, and the list of individuals the District intends to invite. The notices reciprocally ask the Parents to inform the District of those the Parents intend to invite, if any, such as the Parents' Advocate in this matter. Districts are not required to list individuals the Parents intend to invite on the Notice of Team Meeting.

The Parents further allege that the format and content of the meeting notices deprived them of an opportunity to participate in the development of the Student's IEP. As observed above, the Parents were notified in advance of the meeting, its time, place, purpose, and notified of the individuals the District intended to invite. The record supports that, as early as February 27, 2025, the Parents had agreed to the April 1, 2025 meeting date. The IDEA requires "public agencies to ensure that parents are notified of their child's IEP Team meeting early enough to ensure they have an opportunity to attend and to schedule such meetings at a mutually agreed on time and place..."<sup>9</sup> Here, the Parents received notice of the meeting as early as February 27, 2025, and any deficiencies in the initial notice were cured by the March 6, 2025, notice. The Parents received the notices and were aware of the meeting date and time.

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<sup>4</sup> OAR 581-015-2190(5)

<sup>5</sup> OAR 581-015-2190(1)–(2)

<sup>6</sup> *Letter to Anonymous*, 50 IDELR 259 (OSEP 2008)

<sup>7</sup> *Id.*

<sup>8</sup> *Letter to Livingston*, 23 IDELR 564 (OSEP 1995)

<sup>9</sup> *Letter to Savit*, 67 IDELR 216 (OSEP 2016)

The Department does not substantiate this allegation.

**VII. CORRECTIVE ACTION**  
*In the St. Helens School District*  
*Case No. 25-054-015*

No corrective action is ordered in this matter.

Dated: this 6 Day of May 2025



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Ramonda Olaloye  
Assistant Superintendent  
Office of Enhancing Student Opportunities

Emailed: May 6, 2025

Appeal Rights: Parties may seek judicial review of this Order. Judicial review may be obtained by filing a petition for review within sixty days from the service of this Order with the Marion County Circuit Court or with the Circuit Court for the County in which the party seeking judicial review resides. Judicial review is pursuant to the provision of ORS § 183.484. (OAR 581-015-2030 (14).)