

BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Salem-Keizer School)	FINDINGS OF FACT,
District 24J)	CONCLUSIONS, AND
)	STIPULATED CORRECTIVE ACTION
)	Case No. 25-054-023

I. BACKGROUND

On April 14, 2025, the Oregon Department of Education (Department) received a written request for a special education complaint investigation from the parent (Parent) of a student (Student) residing in the Salem-Keizer 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.¹ This timeline may be extended if the Parent and the District agree to the extension in order to engage in mediation or local resolution, or for exceptional circumstances related to the complaint.²

On April 16, 2025, the Department's Complaint Investigator sent a *Request for Response (RFR)* to the District identifying the specific allegations in the Complaint to be investigated and establishing a *Response* due date of April 30, 2025.

On April 30, 2025, the District submitted a *Response* to this Complaint that did not contest the allegations.

The District submitted the following relevant items:

1. District *Response*, 04/30/2025
2. Psychological Evaluation, 08/23/2024
3. [The District] Suicide Prevention Protocol (SPP), 11/13/2024
4. [The District] Suicide Prevention Protocol (SPP), 01/24/2025
5. District Complaint Form Submission, 01/30/2025
6. Parent Meeting Agenda, Rescheduled to 02/06/2025
7. Behavior Conduct Contract, 02/04/2025
8. Behavior Intervention Plan, 02/21/2025
9. Flash Cards, no date

¹ OAR 581-015-2030(12) and 34 CFR § 300.152(a)

² OAR 581-015-2030(12) and 34 CFR § 300.152(b)

10. Behavior Intervention Plan, 02/03/2025
11. Body Scan Form Template, no date
12. Section 504 Accommodation/Intervention Plan, 10/24/2024
13. Notice and Consent to Evaluate under Section 504, 10/14/2024
14. Section 504 Notice of Conference, 10/14/2024
15. Section 504 Notice of Eligibility for 504 Services, 10/23/2024
16. Section 504 Eligibility Review, 10/17/2024
17. Section 504 Screening, 10/14/2024
18. Parent Meeting Agenda, 02/04/2025
19. Areas of Concern [the Student] ([ID number]) 1st Grade
20. Investigator Interoception: Where I Feel My Feelings Form, no date
21. Behavior Intervention Plan, 11/21/2024
22. Functional Assessment Checklist for Teachers and Staff (FACTS-Part A), 11/29/2024
23. Special Education Student Contact Log, 10/09/2024-04/08/2025
24. Contact Log, 08/28/2024-04/30/2025
25. Student Discipline Profile, 09/12/2024-01/29/2025
26. Student Incident Log, 09/12/2024-02/24/2025
27. 2024-25 Progress 1 Report, 12/05/2024
28. Daily Attendance Profile, 09/30/2024-04/08/2025
29. Student Schedule, 2024-25 school year
30. Administrative Policy, STS-A012-CHILD FIND, no date
31. Administrative Procedure, STS-P007-SPECIAL EDUCATION EVALUATION PROCEDURES, no date
32. District Procedure/Policy Index, no date
33. Emails from August 14, 2024 through April 28, 2025
34. Calendar invitations from August 14, 2024 through April 8, 2025

The Parent submitted the following relevant items:

1. Direct Messages, 09/12/2024-01/06/2025
2. Timeline with School, 03/01/2024-01/29/2025
3. Emails from August 14, 2024 through March 18, 2024

The Parent also submitted a *Reply* on May 3, 2025.

On May 23, 2025, the Complaint Investigator provided the nature and content of a Stipulated Corrective Action and the District's proposal to the Parent. 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 Parent's 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 April 15, 2024 to the filing of this Complaint on April 14, 2025.

Allegations	Conclusions
<p>Child Find</p> <p>The Complaint alleged that the District violated the IDEA by not meeting Child Find requirements.</p> <p>(OAR 581-015-2080; 34 CFR § 300.111)</p>	<p>The District did not contest this allegation.</p>
<p>Initial Evaluation</p> <p>The Complaint alleged that the District violated the IDEA by failing to conduct a special education evaluation of the Student when requested by the Parent.</p> <p>(OAR 581-015-2105(2)(3); 34 CFR § 300.301)</p>	<p>The District did not contest this allegation.</p>
<p>Free Appropriate Public Education (FAPE)</p> <p>The Complaint alleged that the District violated the IDEA by failing to provide the Student with a FAPE when the District delayed the special education evaluation for the Student by five months.</p> <p>(OAR 581-015-2040; 34 CFR § 300.101)</p>	<p>The District did not contest this allegation.</p>

REQUESTED CORRECTIVE ACTION
<p>The Parent requested that the Department order the District to take the following corrective action:</p> <ul style="list-style-type: none"> • A formal finding of noncompliance with federal and state special education laws. • A corrective action plan to prevent future delays in the identification and evaluation of students with suspected disabilities. • Consideration for compensatory education services to address the months of missed support. • Confirmation that all appropriate evaluations and supports are now being provided without further delay.

III. FINDINGS OF FACT

1. The Student is seven years old and in the first grade, and attends an elementary school in the District.
2. On April 14, 2025, the Parent filed this Complaint.

3. On April 30, 2025, the District did not contest the allegations made in the Complaint. The Parent has been apprised of the nature and content of the Stipulated Corrective Action, as set forth in the Corrective Action Table.

IV. DISCUSSION

The Complaint alleged an IDEA violation, and the District did not contest.

The Department did not make a substantive determination in the allegations of the Complaint.

Based on the District not contesting the allegation of this Complaint, the Department orders and the District stipulates the following Corrective Action:

V. STIPULATED CORRECTIVE ACTION³

In the Matter of Salem-Keizer School District 24J

Case No. 025-054-023

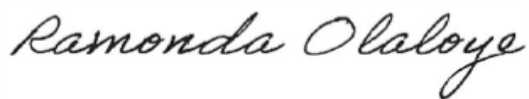
Based on the facts provided, the following corrective action is ordered:

Action Required	Submissions	As Soon As Possible, But No Later Than Due Date
The District will convene an IEP meeting with the Parent to develop an appropriate IEP for the Student.	The District will submit documentation demonstrating that it convened an IEP meeting, including the meeting notice, minutes, IEP, and accompanying Prior Written Notice.	June 30, 2025
The District will convene an IEP meeting with the Parent to determine an appropriate amount of compensatory education for the Student and a plan for the delivery of the compensatory education.	The District will submit documentation of the IEP meeting, including the meeting notice, minutes, and other documentation describing the type and	June 30, 2025

³ The Department's order shall include any necessary corrective action as well as documentation to ensure that the corrective action has been completed (OAR 581-015-2030(13)). The Department expects and requires the timely completion of corrective action and will verify that the corrective action has been completed as specified in any final order (OAR 581-015-2030(15)). The Department may initiate remedies against a party who refuses to voluntarily comply with a plan of correction (OAR 581-015-2030(17) & (18)).

Action Required	Submissions	As Soon As Possible, But No Later Than Due Date
	<p>amount of compensatory education that the District will provide.</p> <p>Evidence showing that compensatory education was provided.</p>	February 27, 2026
The District will provide training to the Student's Elementary School administrators and teachers regarding the District's obligations under the IDEA's Child Find provisions and initial evaluation provisions.	The District will submit a training plan, complete the training according to the approved plan, and submit evidence of completed training, including materials, agenda, and sign-in sheets, to ODE.	December 19, 2025

Dated: this 13th Day of June 2025



Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: June 13, 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 provisions of ORS § 183.484. (OAR 581-015-2030 (14).)