BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Jefferson School District 14J	)	FINDINGS OF FACT,
	)	CONCLUSIONS,
	)	AND FINAL ORDER
	)	Case No. 25-054-050

I. BACKGROUND

On July 9, 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 Jefferson School District 14J (District). The Parent requested 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 July 15, 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 July 29, 2025.

The District submitted a *Response* on July 28, 2025, denying the allegations, providing an explanation, and submitting documents supporting the District's position. The District submitted additional documents on August 6, 2025. The District submitted the following relevant items:

1. District's Written *Response* to Complaint, dated 07/28/25
2. IEP, 09/23/24
3. Notice of Team Meeting, 12/20/24
4. IEP, 08/27/24
5. IEP Meeting, 10/07/24
6. Notice of Team Meeting, 10/22/24
7. PWN, 10/22/24
8. Notice of Team Meeting, 08/13/24

[1] OAR 581-015-2030(12) and 34 CFR § 300.152(a)
[2] OAR 581-015-2030(12) and 34 CFR § 300.152(b)

9. Annual Academic and Functional Goals and Objectives Progress Report, 01/31/25-02/03/25
10. Notice of Team Meeting, 08/19/24
11. Notice of Team Meeting, 08/21/24
12. Notice of Team Meeting, 09/04/24
13. Notice of Team Meeting, 09/09/24
14. Notice of Team Meeting, 09/16/24
15. Notice of Team Meeting, 10/07/24
16. Notice of Team Meeting, 09/29/24
17. Notice of Team Meeting, 10/02/24
18. Notice of Team Meeting, 10/10/24
19. Notice of Team Meeting, 10/14/24
20. Notice of Team Meeting, 10/16/24
21. PWN, 11/07/24
22. Notice of Team Meeting, 01/13/25
23. Notice of Team Meeting, 02/03/25
24. PWN, 01/09/25
25. Annual Academic and Functional Goals and Objectives Progress Report, 06/12/25-06/13/25
26. PWN, 02/23/25
27. Notice of Team Meeting, 05/12/25
28. Notice of Team Meeting, 05/19/25
29. Notice of Team Meeting, 06/05/25
30. PWN, 06/04/25
31. Notice of Team Meeting, 01/06/25
32. Notice of Team Meeting, 12/11/24
33. Notice of Team Meeting, 10/04/24
34. Notice and Acknowledgement of Information Prior to Initial Consideration of an Abbreviated School Day Program, 09/23/24
35. Informed and Written Consent for Placement on an Abbreviated School Day Program, 09/23/24
36. Meeting Notes, 08/27/24
37. Meeting Notes, 10/07/24
38. Meeting Notes, 10/22/24
39. Updated Meeting Notice, 02/07/25
40. Daily Attendance Totals, 2024-25 School Year
41. Report Card, 06/16/25
42. Student Activity/Behavior Tracking Sheets, various dates
43. Medical Records Request, 04/17/24
44. Acknowledgement of Notice of Required Information Prior to Required Meetings to Review Placement on an Abbreviated School Day Program, 10/22/24
45. Transfer Revocation Letter, 05/27/25
46. Emails from August 21, 2024 through June 1, 2025

The Parent did not submit a *Reply*, but they submitted documents in support of their position on July 16, 2025 and July 21, 2025. The Parent submitted the following relevant items:

1. Prior Notice of Special Education Action (PWN), 02/23/25
2. Part B: Oregon Standard IEP, 09/23/24
3. PWN, 10/25/24
4. PWN, 10/18/24
5. PWN, 10/17/24
6. PWN, 10/13/24
7. PWN, 12/11/24
8. PWN, 06/04/25
9. Screenshot of IEP Meeting Notes, 02/11/25
10. Emails from August 8, 2024 through June 5, 2025

The Complaint Investigator interviewed the Parent on August 18, 2025. The Complaint Investigator interviewed District personnel on August 13, 2025 and August 15, 2025. The Complaint Investigator reviewed and considered all of 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 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 July 10, 2024, to the filing of this Complaint on July 9, 2025.

Allegations	Conclusions
Prior Written Notice The Complaint alleged the District used Prior Written Notices (PWN) to deny requests for services, accommodations, or collaboration without justification or explanation as required by the IDEA. (OAR 581-015-2310; 34 CFR § 300.503)	**Not Contested** The District did not contest this allegation.
Parent Participation The Complaint alleged the District violated the IDEA by denying meaningful parental participation in decisions	**Not Substantiated** The District provided multiple opportunities for the Parent to participate in the decisions

Allegations	Conclusions
regarding the Student's education by responding to Parent communications unprofessionally. (OAR 581-015-2190(1-5); OAR 581-015-2195 (1-3)(6); 34 CFR §§ 300.322, 300.501)	regarding the Student's education.
Free Appropriate Public Education The Complaint alleged the District violated the IDEA and denied the Student a free appropriate public education (FAPE) by not implementing necessary supports, accommodations, and services for the Student, and by not communicating with the Student's outside mental health and developmental providers. (OAR 581-015-2040; 34 CFR § 300.101)	**Not Substantiated** The Student's progress indicated the IEP services and accommodations were effective and did not deny the Student a FAPE.

REQUESTED CORRECTIVE ACTION
The Parent requested the following corrective action: ● "A finding of noncompliance on the issues listed above." ● "Corrective action, including staff training on parent collaboration and [the] IDEA compliance." ● "Review and correction of PWN practices within the District." ● "Compensatory education/services as deemed appropriate."

III. FINDINGS OF FACT

IDEA regulations limit complaint investigation to alleged violations occurring no more than one year before the Department's receipt of the special education complaint. This Complaint Investigation did not consider any IDEA violations alleged to have occurred before July 10, 2024. Any facts listed below relating to circumstances or incidents earlier than that date are included solely to provide the context necessary to understand the Student's disability and special education history.

1. The Student is seven years old and attended first grade during the 2024-25 school year at an elementary school in the attending District on an interdistrict transfer. The Student is eligible for special education services in the category of Autism Spectrum Disorder (ASD). The Student is described as curious and energetic, and it was noted that they love new things.

2. On June 6, 2024, an Informed Written Consent for Placement on an Abbreviated School Day Program was signed by the Parent. The form stated: "[The Parent] requested an abbreviated school day. [The District] initially refused…" By signing this document, the Parent acknowledged they were "able to meaningfully participate in the IEP or 504 meeting before consenting to an abbreviated school day program…"

3. On August 8, 2024, the Parent emailed the District to share their preference for a half-day school schedule for the Student to prevent overwhelming the Student.

4. Notices of Team Meeting dated August 13, August 19, and August 21, 2024, indicated a meeting was scheduled on August 27, 2024 to review existing information about the Student to develop or review the IEP placement. It stated the Parents as individuals were required to attend, and the Parent's Board Certified Behavior Analyst (Parent BCBA) as another individual invited to attend. The District Notice of Team Meeting documents included a paragraph indicating that "You have the right to bring other individuals who have knowledge or special expertise regarding your child. Please contact me if you plan to invite others not listed on this invitation to the meeting. Please let me know if you require an interpreter, translator, or other necessary accommodations."

5. An IEP, dated August 27, 2024, described the following:
   a. The reevaluation was due on September 23, 2024.
   b. Disability categories were identified as ASD and Speech/Language Impairment.
   c. Meeting participants included the Parents, the Parent BCBA, and District personnel.
   d. The Special Factors section indicated the Student exhibited behavior that impeded their learning or the learning of others, had communication needs, and used assistive technology devices or services.
   e. No parent input was described in the Present Levels of Academic Achievement and Functional Performance (PLAAFP).
   f. The following goals were described:
      i. Communication: "With specifically [*sic*] designed instruction, [the Student] will spontaneously communicate in 2[-]word phrases including a subject and verb (ex. I want, you jump) in 4 out of 5 opportunities across 3 consecutive sessions, as measured by the SLP [Speech-Language Pathologist] by the end of the IEP period."
         (1) Progress will be measured by observation and data collection, and will be reported in February and June of each year.
      ii. Life Skills: "When given specially designed instruction and the [opportunities] to practice, [the Student] will sep[a]rate from [the] caregiver without aggression 4 out of 5 days with 100% accuracy by [the Student's] next annual IEP on or before 2/1/2025."
         (1) Progress will be measured through data collection and reported in February, June, and at the annual IEP meeting.
      iii. Social Skills: "When given specially designed instruction and the opportunities to practice, [the Student] will ask for items of interest or desire before taking them from peers or staff in 3 out of 4 attempts with 75% accuracy by [the Student's] next annual IEP meeting on or before 2/1/2025."

(1) Progress will be measured through data collection and reported in February, June, and at the annual IEP meeting.

iv. Behavior: "When given specially designed instruction and the opportunities to practice, [the Student] will not have acts of aggression during the school day in 4 out of 5 days with 100% accuracy by [the Student's] next annual IEP meeting on or before Feb[ru]ary 1, 2025."

(1) Progress will be measured through data collection and reported in February, June, and at the annual IEP meeting.

v. Written Language: "When given specially designed instruction and the opportunity to practice, [the Student] will write [their] name including a capital for the start of [their] name in 2 out of 5 opportunities with 60% accuracy by [the Student's] next IEP[in] February 202[5]."

(1) Progress will be measured by data collection and work samples and will be reported in February, June, and at the annual IEP meeting.

vi. Communication - Augmentative Alternative [*sic*] Communication (AAC): "Given specially designed instruction, [the Student] will transition between locations with [their] communication system and communicate in 3 or more different settings with three or more different people as seen on data probes."

(1) Progress will be measured by data probes and observations, and will be reported in February and June of each year.

g. Written language for ten minutes daily, at all school sites provided by a case manager from August 28, 2024 to August 26, 2025.

h. Behavior for unknown minutes daily, at all school sites, provided by a case manager from August 28, 2024 to August 26, 2025.

i. Life skills for unknown minutes daily at all school sites provided by a case manager from August 28, 2024 to August 26, 2025.

j. Speech/Language for 45 minutes monthly provided by an SLP.

k. No accommodations or modifications were listed.

l. Program Modifications/Supports for School Personnel noted autism consultation for five hours per year.

m. An Occupational Therapy consultation was listed for four hours per year.

6. A transcription of meeting notes from an IEP meeting held on August 27, 2024, indicated:

a. Meeting participants included District and School personnel, the Parent BCBA, and the Parent.

b. The team reviewed the Student's records, which included a report from the School Psychologist. No new assessments were deemed necessary. The report confirmed the Student's profile is consistent with ASD, noted severe communication needs, physical elopement, and characteristics of Attention Deficit Hyperactivity Disorder (ADHD). The team also reviewed the Student's speech and language eligibility. The Student previously qualified for services under this category, and the team agreed the communication needs were related to the Student's autism diagnosis and a separate eligibility was not needed. The Student's speech/language services will continue without change.

c. The team reviewed and discussed the abbreviated school day program. The team discussed the need for the Student to increase stamina with the goal of eventually

attending a full day. The State required a plan for when the Student will come off the abbreviated schedule. The plan was to gradually increase the Student's school day. The team agreed to increase the time by 15 minutes every two weeks until the Student met their goal.

d. The team considered and rejected several placement options, including placement at another district, full general education classrooms, and a more restrictive placement out of the District, at another facility.
e. A follow-up meeting was scheduled in 30 days to review the Student's progress. The Parent signed the consent form for the change.
f. The Director of Student Services shared the Parent's input with the team and reviewed the current IEP.
g. The Parent shared, "[The Student] is a lot happier than last year, [they] want to go to school."

7. On September 1, 2024, the Parent emailed the Case Manager to inquire about changes to the Student's safety plan and to request the Student's schedule. The Case Manager responded on the same day, outlining updates to the Student's safety plan and highlighting key changes. The Case Manager indicated the Parent's request for a copy of the Student's schedule was delayed due to time adjustments and was included in this email. The Case Manager wrote, "You will get daily communication as has been the practice in the past with details of [the Student's] day. Please remember that this is not always possible. [The Student's] IEP states that you will receive communication every Friday or when aggressive behaviors occur. At the very least that is when communication will occur." The Case Manager acknowledged that an IEP meeting was scheduled for September 23, 2024, for further team decisions.

8. Notices of Team Meeting, dated September 4, September 9, and September 16, 2024, indicated a meeting was scheduled on September 23, 2024 to review existing information about the Student to develop or review the IEP placement. It stated the Parents as individuals required to attend, and the Parent BCBA as another individual invited to attend.

9. On September 4, 2024, a signed Consent for Evaluation indicated that "Based on a review of existing information, no additional evaluation data are needed to determine if your child is or continues to be eligible for special education services or to determine your child's educational needs." The reasons provided indicated the team had enough evidence the Student continued to be impacted by autism and described that previous data and assessments would be used to determine if the Student continued to be eligible for special education services as a student with a speech-language impairment.

10. On September 5, 2024, the Parent wrote, "What is the plan to increase time? My concern is if we wait, [the Student] will be used to the routine of 1 hour. So what if we increase to another hour next week. I could bring [the Student] 8-10?"

11. An IEP, dated September 23, 2024, described the following:
    a. The revaluation was due November 8, 2025.

b. The list of meeting participants indicated a District-provided interpreter was used for this meeting. Additional meeting participants included the Parents and the Parents' Advocate.
c. Present levels of academic achievement and functional performance were described.
    i. Parent input was provided via email on September 23, 2024 and incorporated into the IEP. Parent concerns were noted and "Parents would like to slowly increase [the Student's] amount of time in school and want to know the step up plan for this and would like to watch it closely to find signs of overwhelm so we don't end up where we were last spring with the aggression and elopement." It was noted that they believed the Student's behaviors stemmed from anxiety or not feeling safe. Additionally, the Parent requested the School send work home "while [the Student] is on a modified day so we can keep [the Student's] skills up." It was noted the Parent inquired about reading and math assessments and shared information about services the Student is receiving outside of the School.
    ii. Regarding transportation, "[The Student] is currently on a[n inter-]district transfer from [another] school district. Transportation is provided by parents to and from school through this agreement."
d. Specially Designed Instruction (SDI) included the following:
    (1) Written language for ten minutes daily, at all school sites provided by a case manager from September 24, 2024 to September 22, 2025.
    (2) Behavior for 200 minutes daily, at all school sites, provided by a case manager from September 24, 2024 to September 22, 2025.
    (3) Life skills for 200 minutes daily at all school sites provided by a case manager from September 24, 2024 to September 22, 2025.
    (4) Speech/Language for 45 minutes monthly in the speech room provided by a regional SLP from September 24, 2024 to September 22, 2025.
e. The following related services were described:
    i. Accommodations, implemented from September 24, 2024 to September 22, 2025:
        (1) Adult support, monitored by a case manager at all school sites, when the Student is in transition or escalated.
        (2) A behavior plan, monitored by a case manager and used throughout the day at all school sites.
        (3) A break area, available whenever the Student was dysregulated, and monitored by a case manager at all school sites.
        (4) Sensory breaks, "once every 30 when expected to be attentive" [*sic*], and monitored by a case manager at all school sites.
        (5) A visual schedule, used throughout the day at all school sites, and monitored by a case manager.
        (6) Reports to/from home once each week or whenever aggressive behaviors occur in the self-contained class, monitored by a case manager.
        (7) A chewing toy, provided by the Parent, available at all times at all school sites and monitored by a case manager.
        (8) Noise buffers, available at all times at all school sites and monitored by a case manager.
        (9) First/Then cards, used whenever directions are given, at all school sites, and monitored by a case manager.

ii. Program Modifications/Supports for School Personnel, implemented from September 24, 2024 to September 22, 2025:
    (1) Autism consultation for 120 minutes per year, provided at all school sites by "Regional - Autism" and monitored by a case manager.
    (2) Consultation between the SLP and SLPA for ten minutes per month in the speech room or virtually provided by and monitored by the "Regional - SLP."
    (3) SLP consultation between the SLP and parents and teachers for 60 minutes per year, virtually, and provided by and monitored by the "Regional - SLP."
    (4) Occupational therapy consultation for 80 minutes per year at all school sites provided by the "Regional - OT [Occupational Therapist]" and monitored by a case manager.

f. The Non-Participation Justification statement described that the Student "... will be removed from [their] general education classroom, for specially designed instruction in behavior, speech, life skills, writing, and social skills." It was noted the Student was impacted by autism and required adult assistance "throughout the day to access [their] education and be safe with [them]self, staff, and peers."

g. Several placement options were considered and the Student "spent less than 40% of [their] day in regular class" was selected.

12. Meeting Notes (dated September 22, 2024) for the September 23, 2024 IEP meeting indicated:
    a. The team determined the Student was eligible for ASD. The Director of Student Services shared that an intellectual disability was not suspected. The speech eligibility was discussed, and the abbreviated school day paperwork was reviewed. The notes indicated "[The Director of Student Services] discussed the information for the placement of the abbreviated day program. [The Director of Student Services] shared that [the Student] began an abbreviated school day on 6/5/24 and [the Student] only attended 3-4 abbreviated days at most. [The Director of Student Services] found out that [the Student] was on an abbreviated school day which began on 1/11/24 and it ended as soon as [the Student] came to [the School]. [The Parent] said that we tried out a full school day and it did not work the best for [the Student]. … [The Director of Student Services] shared that [the Student] needs to increase [their] stamina and [the Student] has a detailed FBA and support plan designed for [the Student] to return to a full day. [The Director of Student Services] shared that the goal is for [the Student] to continue to build and build." According to the notes, the Director of Student Services indicated the team would meet no less frequently than every 90 days to determine the Student's need for an abbreviated day. The team discussed increasing the Student's daily school time by 15 minutes, for a total of 75 minutes at school with gradual increases as the Student's stamina increased and their goals were met.
13. A PWN, dated September 23, 2024, described the District's actions, which included updates to the demographics, special factors, and present levels pages. Additionally, communication "... was removed as [the Student] no longer qualified under speech impa[ir]ment," but the Student will continue to receive services under their ASD eligibility. The assessment, goals, and services pages were updated. Extended School Year (ESY) was determined to be "not justified at this point." Additionally, "The team signed a new Placement Determination Page

showing the student will spend less than 40% of [their] day in general [education]." The action was proposed because the Parent "requested an IEP meeting before the annual review." It was noted the Student made progress in the first weeks of school. The School considered not meeting, but rejected that option because the District wanted "... to have positive communication with [the] family and update [the] IEP as often as needed." Factors considered included the Parent's input and their request for the meeting.

14. The signed consent for an Abbreviated School Day Program form dated September 23, 2024, indicated the reason the IEP team was recommending an abbreviated school day placement was "... To build Stamina [*sic*] and build upon positive times." It noted Parent input as, "I requested an abbreviated school day, and I want a slow step[-]up plan of 15 minutes at a time."

15. Between September 24 and September 27, 2024, an email exchange occurred between the Parent and the Director of Student Services. The Parent requested an IEP meeting to discuss increasing the Student's school time and to review the Student's behavior plan. The Parent was concerned that the proposed 15-minute increase every three weeks was too slow, potentially hindering the Student's skill development, and felt the Student shouldn't have to "earn" school time through perfect behavior. The Parent also requested an American Sign Language (ASL) interpreter for one of the Parents and a new speech evaluation. The Director of Student Services confirmed that an ASL interpreter would be secured and asked for clarification on the need for new speech testing since the Student was no longer eligible for speech services as a primary disability, though they still received related services under their ASD eligibility. On September 27, 2024, the Director of Student Services wrote, "Okay, you will get a prior written notice stating that we will go over the safety plan, how safe time is calculated, and the increase in instructional time at the next IEP meeting. It will also state that we will re-discuss the speech data and goal because I believe that you might not understand that the new goal was written off of the current data and [the Student's] current abilities. We will rediscuss if a new evaluation would be beneficial for [the Student] in this area."

16. On September 29, 2024, the Case Manager indicated they were working on finding a meeting date. The Parent responded the same day "... [the Student] still has a right to an education and there's no data showing that [the Student] won't be able to handle more time (at least that I've seen) since [the Student] has started medication and learned more skills over the summer and is safer now and [the Student] seems to want to go most of the time. … [The Student's] not perfect of course, [they're] still learning and has [their] struggles but [the Student] still deserves to be able to go to school like everyone."

17. On September 30, 2024, the Special Education Case Manager emailed an IEP invitation and indicated the Parent would also receive an invitation in the mail. On the same day, the Parent replied and inquired about an ASL interpreter for one of the Parents at the meeting.

18. Notices of Team Meeting dated September 29, October 2, and October 4, 2024, indicated a meeting was scheduled on October 7, 2024 to review existing information and to determine

whether additional testing was needed. It specified the Parents as required individuals to attend, and the Parent BCBA and a District interpreter as other individuals invited to attend.

19. In an email to the Parent from the Case Manager dated October 1, 2024, the Case Manager informed the Parent that the interpreter was unavailable for the October 7, 2024 IEP meeting and inquired if they would like to reschedule.

20. A document titled "IEP Meeting," dated October 7, 2024, indicated the Parents and District personnel attended, as denoted by their signatures. A transcription of meeting notes described the following:
    a. Meeting participants were introduced and included the Parents, District personnel, and School personnel.
    b. To ensure accessibility for one of the Parents, the Director of Student Services explained the team used speech[-]to[-]text and apologized for the absence of a District Interpreter. The Director of Student Services offered to reschedule the meeting due to this absence, and one of the Parents stated the team could proceed.
    c. The Director of Student Services addressed a "misconception" that the Student "has to earn [their] way back to school." They clarified the abbreviated schedule was intended to "build stamina upon successes." The Director of Student Services informed the Parent they had the right to revoke consent for the abbreviated school day program. Meeting notes indicated that the District confirmed that the Parent understood that consent is voluntary and can be revoked at any time.
    d. The team discussed the plan for increasing the Student's time at school. The previous meeting's decision was to increase attendance at school in 15-minute increments. The Director of Student Services proposed an increase of 30 minutes a week. The Parent requested a more gradual increase of 15 minutes per week, which the team agreed to. The team agreed to continue to collect data. The Parent questioned when the time increases would start. The Case Manager informed them the increases could start as soon as "tomorrow." The Parents said, "Okay."
    e. The Director of Student Services stated, "[The District] would like the Parent agreement and input because parents are in control of this plan."
    f. The team discussed the daily tracker and clarified the meaning of the faces (smile, frown) on the tracker for the Parent. The Director of Student Services asked the Parent if they had any input, and the Parent stated they were confused about the middle face and its meaning; they were unsure if it meant "aggressive." The Case Manager clarified that it meant the Student needed more than three redirections.
    g. The team reviewed the Behavior Support Plan (BSP) that was created last year. The Director of Student Services explained the BSP worked because there were no Student injuries.
    h. The team discussed a communication plan between the Parent and the District. The Director of Student Services explained communication would be managed through an established behavior tracker, in which they added the Parent request for additional comments if a face with a frown is circled. The District limited the Parents to one email request per week and required that communication be directed through the Case Manager and/or the Director of Student Services.

i. The team agreed to hold another meeting in two weeks to review the gradual increase in school time.

21. A PWN dated October 7, 2024 indicated the following proposed action based on the high volume of Parent communications that were personal in nature and did not pertain to the Student's education:
    a. "[The District] is requesting that you use appropoiate [*sic*] lines of communication including emails to the Case Manager or the Director of Student Services and restrict communication to information that is pertinat [*sic*] for your student's education."
    b. "[The District] will continue to communicate regarding [the Student's] school behavior using the extablished [*sic*] tracker daily."
    c. "[The District] will provide a written communication for any sexualized behavior events by the end of the day."
    d. "[The School District] [will] answer any questions or requests or concerns one time per week in a condensed email response."

    The District based its actions on "Records of attempted contact to personal communication devices, 260 messages … between August 13, 2024 and October 7, 2024, and 25 emails … ." Other options considered were not putting in place a communication plan between the District and the Parent.

22. A PWN dated October 8, 2024, indicated the following proposed action by the District based on the October 7, 2024 IEP meeting. The Student's school hours were from 9:00 a.m. to 10:30 a.m. The action was proposed based on the Parent-requested 15-minute increments of increased time added to the end of the school day at the IEP meeting. Other options considered were not to increase time. It was noted that it was in the best interest of the Student to be in school. Parent input was taken into consideration.

23. A PWN dated October 10, 2024, indicated the following proposed action, "... the District will continue to use the methods and supports outlined in the BSP developed on May 21, 2024 to support [the Student] while in school. We will not be updating [their] BSP at this time as the BSP was built from 4 full days of a school psychologist observations and intervention guideline. Furthermore, a team of professionals including you just discussed this matter on October 7, 2024 at [the Student's] last IEP meeting. Finally, the District will continue to communicate with you as outlined in the communication protocol also given to you on October 7, 2024 which you agreed to." This action was proposed based on a Parent request made two days after the IEP meeting. The action was based on the most recent IEP meeting in which the team decided not to update the IEP. Other options considered were to make changes, but that was rejected due to the team's decision made on October 7, 2024. The team considered parental input as a factor.

24. Notices of Team meeting dated October 10, October 14, and October 16, 2024 indicated a meeting was scheduled for October 22, 2024 to review existing information and to develop or review the IEP placement. It specified the Parents as individuals required to attend the meeting, and a District interpreter as an individual invited to attend.

25. The following emails between the District and the Parent occurred between October 10, 2024 and October 12, 2024, primarily regarding communication:
    a. On October 10, 2024, the Case Manager emailed the Parent, "This is a Prior [*sic*] written notice in response to your communication on 10/9/24."
    b. On October 11, 2024, the Parent asked clarifying questions about eloping and running and the strategies the team was using with the Student. Regarding communication, the Parent wrote, "Although I understand your desire to have less messages per day, … I am not agreeing to only email you once a week. … And if I have questions or concerns about my child I will communicate them. … I did not know I was creating confusion before until it was brought to my attention. … I wish this was brought to my attention in a more private manner instead of a full IEP meeting and I would like [a] few inaccurate things corrected. … I understand the boundary of not communicating on messenger but I don't think that is even something that is necessary to be brought up on the prior written notice and at the IEP meeting. The prior written notice makes me sound like I am stalking staff and trying to get confidential information, which is not the case. … At the meeting I felt pretty humiliated and wanted to communicate that as I am not sure that you and [the Director of Student Services] realize how these decisions made me feel and maybe you have misunderstandings about my intentions. It seems you want most important info sent in emails and daily important info perhaps on [the District's messaging platform]. I hope that we can continue to communicate in a way that will benefit [the Student]. At this time I feel hesitant to even communicate at all and at times feel like your team doesn't even want to have … [the Student] continue in your school."
    c. On October 12, 2024, the Director of Student Services replied, "... First, I apologize if you felt humiliated at our meeting. That was not at all my intention." The Director of Student Services defined eloping and referenced the BSP from May 20, 2024 regarding target behaviors, replacement behaviors, and goals, and indicated the strategies on the plan were the ones being used in the classroom. The Director of Student Services wrote, "It is important that you understand that when a plan like this is written that the District will implement the plan as it is written. If it is not working, we will come back together as a team and adjust the plan. We have to have enough time in school with the plan to collect data to see how it is working." Regarding emails and communication, the Director of Student Services shared, "We completely understand that you may send as many emails and messages per day as you would like. We are not attempting to control how many communications you send to us. … Additionally, in special education some items must go through the process of a prior written notice, so it takes more time to figure out what to put in a prior written notice and what not to. … The reason I provided you time alone with [one of the Parents] with the entire team out of the room during our last IEP meeting is I recognized you need to have time to process information. That is why I waited until you opened the door and stated you were ready to continue. Additionally, that is the reason we are cop[y]ing [one of the Parents] on all communications due to [their] request. I can certainly provide an IEP agenda prior to the meeting. Additionally, no big changes will go into effect until you receive a prior written notice and have a few days to consider what the team has discussed and decided. We will not provide a draft copy of an IEP because the IEP is a collaborative effort and the team makes too many decisions and changes in

real time to the educational plan. However, we can discuss other accommodations if they will help you. The communication plan is also to try to help us help [the Student]. … We want to continue to work as a team for [the Student's] benefit and hope to develop a positive path forward."

26. A PWN dated October 13, 2024, indicated that the District proposed to increase the Student's time at school, "... from 9:00 - 10:30 to 9:00 - 10:45 beginning Monday 10/14/24." This action was proposed and agreed upon at the October 7, 2024 meeting, "... where you requested 15[-]minute time increments of increase and the team agreed, the team also agreed the increase would happen each Monday. The District considered not increasing the Student's school time, but rejected this option because they "... would like to see [the Student] back in school with more educational minutes." The District considered "the abbreviated school day request and parent and team input." The PWN was sent via email to the Parent on the date of notice.

27. Notices of Team meeting dated October 14 and October 16, 2024 indicated a meeting was scheduled for October 22, 2024 to review existing information and to develop or review the IEP placement.

28. A PWN, dated October 17, 2024, indicated the District proposed to increase the Student's time at school by 15 minutes based on an agreement at the October 7, 2024 meeting. This action was based on the Parent's request for an abbreviated schedule. Not providing the abbreviated day was considered and rejected as "Data collection in the 23/24 school year shows that [the Student] does not have the stamina to be at school for a full day and remain safe. You requested for [the Student] to have an abbreviated schedule and slowly increase [the Student's] time."

29. A PWN was issued on October 18, 2024, to address a clerical error regarding an upcoming meeting's timeline. The meeting, which would only discuss an abbreviated school day, was rescheduled to fall within 30 calendar days instead of 30 school days. The new date, October 22, 2024, was based on the Parent's requests to meet as soon as possible.

30. An additional PWN, dated October 18, 2024, was issued in response to the Parent's emails about the Student's morning routine from October 13, 2024 through October 18, 2024. The Parent had requested the Student's day begin at 8:30 a.m. instead of 9:00 a.m. and the Student be allowed to bring a baby bottle to feed a doll in the classroom. The District refused both requests, explained their rationale, and stated the Student's day would continue to start at 9:00 a.m. The PWN also indicated that on October 18, 2024, the Parent requested to know "... why we cannot speak with an outside person who had sent an email." The District's response indicated "We do not have an ROI on file for the person in question." It was noted that Parent input and "... the need for consistency with communication and positive behavior supports" were considered.

31. From October 19, 2024 through October 23, 2024, the following emails were exchanged between the Parent and the District and the District and the Advocate:

a. On October 19, 2024, the Case Manager attached two PWNs to an email to the Parent 2024 regarding Parent emails from October 13, 2024 to October 18, 2024.
b. On October 19, 2024, the Parent emailed the District to share that it would be a "… benefit for [the Student] if you collaborated with [the Parent BCBA]." Additionally, the Parent requested the District send an ROI to the BCBA. The following day, the Parent requested the District send the Parent Advocate an ROI.
c. On October 20, 2024, the Advocate emailed the District requesting "... that you provide [the Parent] with an ROI so that allows for the direct exchange of communication between [the Agency] and district personnel; as well as an ROI to allow communication between the ABA provider and district personnel, and an ROI that allows exchange of information with those involved in the development of the FBA/BSP." The District responded on October 23, 2024 and indicated "[The Parent] is more than welcome to invite anyone to … [the Student's] meetings. Additionally, [the Case Manager] will be working on getting [the Parent] to sign an ROI for the District to have direct communication with you and [the Agency]."
d. On October 21, 2024, the Parent emailed the Case Manager to request the Student's Private OT attend the virtual IEP meeting on the following day.

32. On October 21, 2024, a [Health Insurance Portability and Accountability Act] HIPAA ROI was generated by the Agency and was signed by the Parent. The audit trail for the document's signatures indicated that the document was sent to, viewed by, and signed by the Parent on behalf of the Student and was "completed" on that same day.

33. A Notice of Team Meeting, dated October 22, 2024, indicated an IEP meeting was scheduled on October 22, 2024 to review existing information and determine whether additional testing was needed. It specified both Parents as required individuals to attend and a District interpreter as an individual invited to attend. A Notice of Team Meeting with "Abbreviate[d] School Day" handwritten at the top, dated October 22, 2024, indicated signatures by meeting participants, including the Parents and the interpreter. That same day, the Parent signed Abbreviated School Day Program paperwork indicating they had been informed of their rights regarding the program.

34. A transcription of meeting notes from an IEP meeting held on October 22, 2024, indicated:
a. Meeting participants included the District and School personnel, the Parents, and the Private OT.
b. The Director of Student Services stated the purpose of the meeting was to discuss the Student's abbreviated school day.
c. The Director of Student Services shared they reviewed data and, "The District is ready [*sic*] willing and able to provide a full day of instruction based upon how well [they] are doing. … [They] have the skills in order to be successful."
d. The Private OT shared, "... [that] is great news." The Private OT asked the Parent how they felt, and the Parent responded, "... but I have things to think about I guess." The Parent expressed concern about the transition to a full day, cited a negative previous school year, and stated it was "too much."

e. The Director of Student Services clarified that if the Parents chose to pick the Student up for appointments, that was their choice, "... but the District is ready to [provide] service [to them] for a full day of school." The Director of Student Services reiterated the decision was made based on the Student's positive data.

35. A PWN, dated October 22, 2024, described the District's proposal, which indicated "[The Student] has shown increased stamina to attend a full day of school. The District believes that [the Student] will be successful attending a full day of school and is ready to do so. The District wants to ensure that [the Student] has the same meaningful access to the same number of hours of instruction and education services as the majority of other students." Other factors considered were messages from the Parent that described a desire for increased time at school.

36. On October 23, 2024, the Parent emailed the Case Manager and the Director of Student Services, stating a preference to gradually increase the Student's time in school rather than immediately transitioning from two to six hours. The Parent proposed the Student attend school from 8:00 a.m. to 11:30 a.m. for the first week of November [2024] so they could attend therapies in the afternoon. The Director of Student Services replied, noting the PWN permitted the Student to attend a full day starting November 4, 2024, but affirmed the Parent could adjust the Student's schedule as needed for other appointments.

37. On October 24, 2024, the Parent signed an ROI giving the District permission to share information with the Advocate regarding "Previous communications with [the Parent]."

38. A PWN, dated October 25, 2024, described the District's proposal, which indicated that "For the week of 10/28/24 - 11/1/24 [the Student's] time at school will increase by 15 minutes more than the previous week. The scheduled time will be 9:00 am - 11:15 am. This is due to the agreed[-]upon abbreviated school day that will end 11/1/24." The action was proposed because on October 7, 2024, the District agreed to an abbreviated day and an increase of 15 minutes to the Student's school day. The previously agreed-upon abbreviated day was rejected because the District believed that "... [the Student] deserves a full day of school that is comparable to [the Student's] non[-]disabled peers, with meaningful opportunities to participate in academics as well as stoical [*sic*] opportunities." It was noted that Parent input was considered.

39. Another PWN, dated October 25, 2024, indicated that the PWN "... is to address the 14 …messages [*sic*] and 1 email that was received by you from 10/21/24 - 10/25/24. [The Student] will increase time on 10/28/24 from 9:00 am until 11:15 am. Beginning 11/2/24 [the Student's] school day is from 8:00 am - 2:50 [p.m.] on Mon, Tue, Thu, and Fri. On Wed [the Student's] schedule will be 8:00 am - 1:20 pm. [The Student] will need to be checked in or checked out of the office if [the Student] is arriving later than 8:00 am or being picked up prior to the end of the day. Both Parents have the same right [to] give, deny, or revoke consent for [the Student]. [The Student] does have access to [their] "B" chewy at school at all times. It is your choice as a parent to bring [the Student] late or pick [them] up early." The District proposed the actions because "In your 10/23/24 email you requested clarification of [the Student's] change in schedule and start times. On 10/24[/24] you asked in a … message

if you needed to sign paperwork or if [one of the Parents] could sign. On 10/24/24 you asked about [the Student's] chewy at school."

The District's decision was based on an evaluation of procedures, tests, records, and reports related to the abbreviated school day agreement, which was set to conclude on November 1, 2024. During a meeting on October 22, 2024, the District issued a PWN, confirming their readiness and ability to provide a full day of schooling starting November 4, 2024. However, on October 24, 2024, the Parent wrote in a … message, expressing concerns that a full day might not be advisable due to the Student's struggles with tiredness in the afternoons. The option of extending the abbreviated school day was rejected. The District believed the Student deserved a full school day comparable to that of their non-disabled peers, offering meaningful academic and social opportunities. It was noted the team considered Parent input.

40. On October 26, 2024, the Case Manager emailed the Parent with an attached PWN in response to several of their messages. The email addressed the Student's proposed schedule for the first week of November 2024, provided an explanation of the Student's sticker chart, and detailed the number of staff and students in the program.

41. A PWN dated November 7, 2024, indicated the PWN was to address the Parent's concern regarding toileting. It was noted the team considered parental input.

42. On November 7, 2024, the Parent emailed the Case Manager and stated, "We are thinking of increasing [the Student's] time about an hour a week as long as [the Student] continues to do well… ." The following day the Parent emailed and included, "Next week add another hour so we'll pick [the Student] up at 1215 [*sic*] each day. The following week the week of [November 18] increase another hour and pick [the Student] up 120 each day [*sic*]. … Monday's [*sic*] [the Student] has gymnastics at 3, so I may just stick with those times going forward[.] I'll let you know if there's any changes."

43. On November 10, 2024, the Parent emailed the Case Manager to provide an update on the Student's counseling appointments and the Student's pick-up schedule. The Parent wrote, "The [psychologist] also recommended IQ testing to make sure [the Student] doesn't have a developmental disability and a new autism assessment since it has been 3 years. … [The psychologist] also had me fill out an ROI so [the psychologist] can communicate with you." On the same day, the Case Manager indicated they did not see any ROI forms in the Student's backpack on Friday and wrote, "We can only communicate with professionals with a[n] ROI on our side as well. I can create one and have it in [the Student's] bag for parent signature on Tuesday if you would like." The Parent responded they would send it again and inquired about an ROI covering both the Psychologist and the Counselor.

44. From November 13, 2024 to December 10, 2024, the following emails and messages were exchanged between, or on behalf of, the Parent and the District:
    a. On November 13, 2024, the Advocate emailed the District to request an IEP meeting on the Parent's behalf, indicating they "... plan to participate in the meeting to provide

advocacy support … . It is my intent to help facilitate communication that will lead to a positive team dynamic."

b. On November 14, 2024, the Parent emailed the Case Manager and declared, "Good morning, in light of [the Student's] recent anxiety and behaviors I will not be increasing anymore time at school at this point. [The Student] is starting to regress and not want to go as much as [the Student] did earlier this year [*sic*]. I'm not sure what changed. I am glad I did not go from 2-6 hours as the district wanted and I knew [the Student] couldn't suddenly, if at all, handle that amount of time in school with all the demands of school."
c. On November 18, 2024, the Case Manager updated the Parent on the Student's successes and struggles for the week. The Case Manager described that there were different staff members supporting the Student and "[w]e have been steadily increasing [the Student's] work load [*sic*]. Regardless of how many hours [the Student] is at school the increase of demands is generally met with aggression. When [the Student] is asked to complete a non[-]preferred task [the Student] resorts to previous behaviors of aggression. Additionally, [the Student] must be in school in order to learn school[-]appropriate behaviors." The Case Manager continued, "It is my professional opinion that changing [the Student's] schedule frequently does not instill consistency or structure in [their] day. Which as you know are the fundamentals of working with students on the autism spectrum. [The Student] will likely associate the attacks on staff with getting to go home early again. Which would in turn increase [the Student's] non[-]preferred or unsafe behaviors. We already saw that pattern documented last year." Additionally, the Case Manager shared, "The IEP team created a plan for [the Student] to be in school full days and has rejected the abbreviated school day as the team did not believe it is in [the Student's] best interest. We need 7-9 data points consistently to see change. If [the Student] is only being asked to do seat work, attend specials, or eat lunch with peers in one out of 5 days it will only prolong the amount of time it takes [them] to pick up the new skills and learn school[-]appropriate behaviors. Again, consistency and routine are instrumental in lasting change. Additionally, the shortened schedule limits [the Student's] prosocial interactions with non[-]disabled peers. [The Student] is not getting the positive communication or examples that would naturally occur if [the Student] were at school for a full day."
d. On November 19, 2024, the Case Manager emailed the Parents about video games and the Student's behavior on that day, "I guess I am confused about your first message …. It was our understanding that [the Student] did not get any video games when [the Student] was aggressive at school. It does make a little more sense now though, when we show [the Student] the no video game visual [the Student] replies; '[Parent] said, yes video games be safe at home.' If [the Student] can always earn them back at home, [the Student] has little incentive not to be aggressive during school. Please let us know if that changes so we can stop using the no video game visual with the safe hands visuals."
e. On December 2, 2024, the Case Manager emailed the Parent to share the Student's successes, to alert the Parent that names of students in the program could not be shared for privacy reasons, and to share when and how progress reports would be provided.
f. On December 3, 2024, the Director of Student Services emailed the IEP team checking on availability and confirming the Parent's discussion topics as, "home to school communication, the BSP, time at school, concerns about 'what it is about school that

causes [their] nervous system to be dysregulated', other concerns (unknown what this is about), and examples of what works at home." The Director of Student Services asked for Parent input.

g. On December 3, 2024, the Parent responded they would still like to attend the meeting, and requested, "... I would also like to discuss [the Student's] daily schedule and [their] outside therapies and invite … [the Parent BCBA]."
h. On December 6, 2024 in a message to the Special Education Teacher, the Parent stated, "Next week, we'd like to increase [the Student's] time by 30 min[utes] a week as long as [they're] being 80% safe and handling it ok we can increase 30 min[utes] a week. 1 hour a week seemed to be too much."
i. On December 10, 2024, the Parent emailed, "I don't think I'll have [the Student] go additional time till [*sic*] after break because that will be hard for [them] barely adjusting to that and then adding more time after break. Just let us know when it's scheduled."

45. A PWN, dated December 11, 2024, served to inform the Parent of the District's refusal to initiate the process to determine whether the Student experienced an intellectual disability. The District did not suspect the Student experienced an intellectual disability, basing this on the Student's ability to successfully perform preferred tasks and the Student's capacity to follow and understand directions when it was beneficial to them. The Student's academic performance on IXL showed scores between 60-90 in math and 20-50 in English Language Arts (ELA), aligning with the Student's preferred learning methods. Further supporting this conclusion was the Developmental Assessment of Young Children, completed in October 2021, that indicated the Student's adaptive score was 84 and their cognitive score was 83.

    Additionally, a written communication from the District on September 4, 2024 noted, "Today in the swing [the Student] counted by 1s to 100 and then to 100,000 by 10s pretty much all in [their] own! Still playing the silly sleeping dragon game. We can get [the Student] to do anything if we play that game. Is [the Student] talking much for you yet?" The District refused to proceed with the Parent's request for IQ testing to ascertain if the Student had an intellectual disability. This action was proposed in response to the Parent's email on December 11, 2024 requesting IQ testing. The District's refusal was based on evaluation procedures, tests, records, and reports, a file review, and a review of parent emails. Other options considered, such as proceeding with the testing request, were rejected because the District did not suspect a disability based on a cumulative file review, previous assessment, and Parent emails. Other factors considered by the team included parent input and current functional performance. The PWN was sent home via the Student's backpack on the date of notice and emailed by the Case Manager on December 14, 2024.

46. Notices of Team Meeting dated December 6 and December 11, 2024 indicated a meeting was scheduled for December 17, 2024 to review existing information and to develop or review the IEP and placement. It indicated the Parents, the Advocate, the Parent BCBA, and a District interpreter were invited to participate.

47. Notices of Team Meeting dated December 20, 2024 and February 3, 2025, indicated a meeting scheduled for February 11, 2025 to review existing information and to develop or

review the IEP and placement. It indicated the Parents, the Advocate, the Parent BCBA, a District interpreter, and the Counselor were invited to participate.

48. A Notice of Team Meeting, dated January 6, 2025, indicated a meeting was scheduled for January 14, 2025, to review existing information and to develop or review the IEP and placement. It indicated the Parents, the Advocate, the Parent BCBA, and a District interpreter were invited to participate.

49. A PWN dated January 9, 2025, served to inform the Parent of the District's refusal of an abbreviated school day program. The District stated, "At [the Student's] IEP meeting the previously agreed upon abbreviated day schedule was revoked by [the District]. It was agreed upon at the time of this IEP meeting that [the Student] should be in school for a full day… [The District] does not agree to an abbreviated school day." This is a refusal to change placement and a provision of FAPE. The action was based on the District's offer of [a] FAPE for the Student and data collected, which showed, "[The Student] has the stamina to maintain at school for a full day and it is in [their] best interests academically and socially to be at school daily for a full day of school." It was noted that the team considered input from the Parent regarding this decision.

50. From January 11, 2025 to January 24, 2025, the following emails and messages were exchanged between the Parent and the District:
    a. On January 11, 2025, the Case Manager emailed the Parent to acknowledge receipt of the Student's treatment plan. The Case Manager shared information about the Student's week and indicated they attached a PWN regarding the District's disagreement with providing the Student an abbreviated school day. The Parent responded on the following day and wrote, "... I don't know how [the Student] is doing academically at school, [their] report card was blank and [the Student] is there four hours a day …"
    b. On January 22, 2025, one of the Student's successes was shared. They also shared the School was short-staffed and the Case Manager was unable to complete the tracking sheet.
    c. In a January 24, 2025, message, the Parent shared with the Life Skills Teacher, "Next week we will send [the Student] till 1235. Probably increasing 30-60 min[utes] a week. … for now will just keep increasing [their] time in school and see how [the Student] does [*sic*].

51. An IEP Progress Report, dated January 31, 2025 and February 3, 2025, described the following:
    a. Communication goal: "Progressing." "[The Student] is able to communicate 3 out of 4 word phrases including a subject, verb, and noun with 77% accuracy, [they] are able to spontaneously describe a scene or action - 75%."
    b. Life Skills goal: "Mastered or Completed." "[The Student] is separating from their caregiver 4 out of 5 days without aggression and is walking to class independently. The only time [they] are showing aggression on drop off is when [they] are dropped off by the Parent."
    c. Social Skills goal: "Progressing." "[The Student] is making significant progress in this area and is able to request with sign, visual cues and with vocalizations."

d. Behavior goal: “Progressing.” “Objective 1 is met. [The Student] is able to use [a] safe body during the school day and request a break when needed. However, recently [their] aggression has increased again. We will continue to work on a safe body during the school day.”
e. Written Language goal: “Progressing.” “[The Student] is able to write B an [*sic*] no support. [They] are consist [*sic*] using the capital letter B.”
f. Communication - AAC goal: “Progressing.” “[They] are able to communicate with [their] communication system in 3 or more different settings with 47% accuracy. [They] can transition between locations independently carrying [their] communication system - 58% accuracy.”

52. In an email dated February 7, 2025 from the Special Education Secretary to the Parent, the Special Education Secretary informed the Parents of an updated Meeting Notice, which included the Student’s new general education teacher and the addition of the Counselor. They confirmed the Counselor was included in the original Google invite sent out.

53. On February 7, 2025, after the Parent inquired about the IEP meeting agenda, the Case Manager reminded the Parent the agenda was attached to the calendar invite which included, “... the district’s understanding is the topics you wish to discuss are home[-]to[-] school communication, the positive BSP, time at school, concerns about ‘what it is about school that causes [the Student’s] nervous system to be dysregulated,’ other concerns (unknown what this is about), and examples of what works at home. We will also be discussing placement determination and the least restrictive environment.”

54. In an email to the Case Manager, dated February 11, 2025, the Parent stated the Parent BCBA and the Private Counselor would not be in attendance at the IEP meeting. On the same day, the Parent alerted the Life Skills Teacher that “[The Student] can go full days starting this week.”

55. A transcription of meeting notes from an IEP meeting held on February 11, 2025, indicated:
    a. Meeting participants included the Parents, the Advocate, and District and School personnel.
    b. The Director of Student Services shared the meeting agenda and explained the topics came from the Parent’s concerns. They also indicated the Case Manager had finished the Student’s progress reports, and the Student had made progress on every goal. The Parent also acknowledged the Student was doing well.
    c. The Director of Student Services introduced the topic of home-to-school communication and indicated they needed a communication protocol. The transcript indicated the Director of Student Services “... showed the documents printed to the team. 93 school days there has been 522 … messages. I was included in [*sic*] 44 additional messages that [the Case Manager] was not included in. On top of the … messages there have also been emails. We really need … to figure out how we are going to communicate as a team.”
    d. The Advocate stated the PWN seemed “hostile in its format.” The Director of Student Services replied that, legally, the District must write a PWN for all parent requests. They acknowledged it might sound “cold,” but the District was required by law to write them.

They said, “We can’t address every communication that comes our way - so we write prior written notices based upon the requests.” The Advocate acknowledged the high volume of communication and suggested the District could send the Parent a weekly response.

e. The Director of Student Services shared the Parent received daily communication about the Student’s day, in addition to other communication. The Case Manager indicated the Parent received comments from the behavior tracking system, but that it might not be completed similarly each day because the Student was picked up at different times. The Advocate suggested adding a form to write more comments about the Student, and the Director of Student Services indicated the form had been modified at previous meetings.
f. The Parent indicated they were amenable to receiving an email from the School once a week, and they were not expecting a daily response. The Director of Student Services replied, “... [if] there is a request for program change, length of day change, evaluation change, there are legal requirements we have. … I would rather not write a prior notice, but note that legally I do have to write those.”
g. The Director of Student Services reiterated they did not want to restrict communication with the Parent. The Case Manager said, “... if you do not get a response it is not because I don’t care or do not want to discuss[,] it is a lot of volume and I do have to filter through and I will respond.” The Director of Student Services said, “We will at least have a minimum of one email per week, and plus don’t forget that we do those daily communication logs.”
h. The conversation shifted to the Student’s positive BSP. The Director of Student Services stated it was a team decision, and the plan had been written in the spring and updated at the previous IEP meeting. The Advocate indicated they did not want to update the plan, but rather how it was implemented. No changes were made to the positive BSP.
i. The Director of Student Services said, “A prior written notice is basically us saying yes we will or no we will not.” The Parent Advocate stated they wanted to find more informal ways to communicate. The Director of Student Services suggested a conference call, but warned to not “sidestep the IEP team.” The Parent indicated they did not like phone calls. The Advocate suggested meeting at a coffee shop, and the Director of Student Services said they would be available to do that.
j. The Director of Student Services said, “I will not put in a communication protocol, it is not educationally necessary.”
k. The Director of Student Services explained the Student’s abbreviated school day was revoked in October and reiterated the District’s offer for FAPE was for a full day of school.
l. The Director of Student Services stated they would write a PWN regarding what was agreed upon at the meeting.

56. On February 23, 2025, the Parent emailed the Case Manager with an update on the Student’s skills and a new pickup schedule for gymnastics. They also asked questions about “Gen[eral] Ed[ucation] work” and updating the Student’s IEP goals. The Case Manager responded, addressing the Parent’s questions and requests and informing them that a PWN would be sent to deny the request for an ASDP.

57. A PWN, dated February 23, 2025, described that the District did not "agree with an abbreviated school day for [the Student]" and indicated a refusal to change the IEP. The action was proposed because the Parent indicated the Student would be attending gymnastics every Monday in March during the school day. The rationale for the action described that "In a[n] IEP Meeting on 10/22/24 the … District gave you a prior written notice informing you that we are ready [and] willing and able to serve [the Student] for a full day of school as on 11/04/24 [*sic*]. In … 2 previous prior written notices, one on 10/25/24 and one on 1/9/25 … [the] District has denied a request for an abbreviated school day. In the most recent IEP meeting on 2/11/25 we discussed in great detail that [the School's] attendance policy is for students to attend school for a full day unless sick, or attending a doctor appointment." It was noted the District considered agreeing to an abbreviated school day on Mondays, but rejected it based on the District's "... offer of [a] FAPE … for [the Student] to attend a full day of school, our district attendance policy, and [the Student's] inter-district transfer agreement requiring [the Student] to attend a full day of school unless sick or at a doctor's appointment. It was decided by an IEP team which you were a part of on 10/22/24 and then again on 2/11/25 that [the Student] has the stamina required for a full day of school." The District considered the Parent's input, the Student's educational needs, and the right to a FAPE for the Student.

58. The following emails were exchanged between the Parent and the District between February 23, 2025 and March 19, 2025:
    a. On February 23, 2025, the Case Manager responded by clarifying the Student's general education work, updating the tracker, and sharing that progress reports were adjusted and sent out in February and June 2025 and were "delivered to you by hand on February 11, 2025 at our last IEP meeting." The Case Manager inquired if the Parent was requesting another IEP meeting, and explained the goals in the IEP were updated on September 23, 2024, and attached a copy of the agreed-upon IEP, the PWN regarding change to the Student's school day, and a copy of the new tracker.
    b. On February 24, 2025, the Parent emailed the District to ask if the Student's 15-minute early dismissal for gymnastics would negatively impact their attendance. The Director of Student Services responded with a written warning, stating the Student needed to attend a full day of school to learn the routine and gymnastics was not an excused absence. The Director of Student Services also reminded the Parent the Student's inter-district transfer agreement required meeting attendance requirements.
    c. On March 19, 2025, the Parent emailed the Director of Student Services to request a communication notebook, citing a lack of responses to their messages about the Student's medical needs. The Director of Student Services responded that the daily tracker already provided detailed information about the Student's sleep and food intake, and had been modified multiple times to meet the Parent's requests. The Director of Student Services also reminded the Parent that the Student had been sent home twice due to physical symptoms from medication changes, which were already logged on the tracker. The Parent replied the tracker had recently been changed to a less-detailed format, though the Case Manager had provided the necessary information via email for the current week.

59. IEP Progress Report 2, dated April 12 and April 13, 2025, indicated the following progress:
    a. Social Skills goal: "Mastered or Completed." "[The Student] has mastered this goal based on data taken, daily reports, and classroom observations."
    b. Behavior goal: "Mastered or Completed." "[The Student] has made significant progress and has mastered this goal."
    c. Written Language goal: "Mastered or Completed." "Data collected … handwriting skills, on February 17, March 11, April 2, April 14, and May 15 [2025] show [the Student] has mastered this goal and can write [their] name independently."
    d. Communication - AAC goal: "Progressing." "[The Student] has often not had [their] AAC available at school, [they] have been offered a loaner one during sessions to practice but [they] get frustrated with it because it's different from [theirs]."
    e. Communication goal: "Progressing." "[The Student] has demonstrated they can answer Who questions approximately 75% accuracy … [The Student] has demonstrated that [they] can answer Where questions with approximately 60% accuracy … . [The Student] has not targeted "When" questions at this time. … [The Student] has done a great job transitioning from answering questions when given multiple[-]choice physical options to now answering based off of information given in a visual story."

60. The following email exchanges and messages occurred between March 31, 2025 and May 20, 2025:
    a. Between March 31 and April 5, 2025, the Director of Student Services, the Parent, and the Case Manager exchanged emails regarding the Student's medication change, a requested report by the Parent to provide to an outside psychiatrist, and the addition of tics to the daily tracker.
    b. In messages on April 7 and April 8, 2025, the Parent inquired about a visual schedule. The Case Manager responded, "[They] have a visual schedule at school. This is outlined in [their] IEP as an accommodation. You receive a copy of the schedule each day. We run on [*sic*] timer which is also in [their] IEP. We document daily when [they] use [their] voice which is all day long."
    c. On April 11, 2025, the Parent and the Life Skills teacher exchanged emails regarding the Student's "great week," verbal and non-verbal cues, the Student talking with both peers and staff, and the updated occupational therapy report. The Parent responded, "I'm so glad [they] are doing so well at school."
    d. On April 14 and April 15, 2025, the Parent and the District exchanged emails regarding the Student's speech, adding photos of teachers to the AAC device, the Student's schedule, medication, and the daily tracking forms. The Parent stated, "Your program is doing wonders for [the Student]."
    e. On April 23, 2025, the Parent asked about other progress monitoring beyond IXL, concerned about score accuracy and the Student's engagement with electronics. The Parent proposed an early fall IEP meeting to update academic goals and noted improvement with medication. Later that day, the Case Manager responded that recent IXL scores showed significant progress, with the Student nearly at grade level. The Case Manager confirmed adult supervision during IXL, noted the Student's refusal of reading monitoring, and offered to send curriculum samples. Additionally, the Case Manager

asked, “Are you requesting another IEP? We just had on[e] on Feb 11th. It is now April 23rd.” The Parent responded they were not requesting an IEP now but would like to schedule the IEP for the fall.

f. On April 25, May 2, May 14, and May 30, 2025, the Life Skills teacher emailed the Parent to share the Student’s weekly progress.
g. On May 8, 2025, the Special Education Secretary confirmed the Parents’ email addresses to be included in the IEP meeting invite and confirmed the interpreter invite to the meeting.
h. From May 17, 2025 to May 20, 2025, the Case Manager shared the issues the Parent was surfacing had been addressed previously and explained the School could not control the Student’s eating habits. The Case Manager indicated the current tracker would be used for the rest of the year. The Parent replied, insisting the form had changed and they were worried about the Student’s food intake and bleeding fingernails. The Case Manager responded, suggesting all of these issues be addressed at the upcoming June 10, 2025 IEP meeting.

61. Notices of Team meeting dated May 12, May 19, and June 5, 2025 indicated a meeting was scheduled for June 10, 2025 to review existing information and to develop or review the IEP and placement. It indicated the Parents, the Advocate, and a District interpreter as individuals required to attend. All notices were sent home via backpack and email on their respective dates.

62. In a May 27, 2025, letter to the Parent, the Superintendent revoked the Student’s interdistrict transfer for the 2025-26 school year, citing “ongoing issues during the 2024-25 school year that have been addressed with you in various manners … .” The Superintendent indicated the issues included excessive emails to staff, unfavorable posts on social media about the District, and communicating with staff via “personal phones, social media, and personal emails after being directed not to.” On May 31, 2025, the Parent emailed the Superintendent requesting clarifications regarding the letter from the Superintendent revoking the Student’s transfer to the District. On June 4, 2025 the Superintendent responded, “You are correct, in that the decision to revoke the transfer has already been made, and it was not an easy decision to make. I based my decision on information received from staff regarding your interactions with them throughout the school year, which included reviewing prior written notices, email and [other] correspondence, and viewing of social media comments. After taking everything into consideration, I determined that it was best to revoke the transfer. I wish you and your family the best.”

63. On June 4, 2025, the Parent canceled the IEP meeting because the Student would not be attending the School for the following school year. A PWN, dated June 4, 2025, indicated the Parent canceled the Student’s IEP meeting for June 10, 2025. The PWN described the cancellation of the IEP meeting as requested by the Parent. The team took into consideration “Continuing to hold the scheduled IEP on June 10, 2025, because [the District] stands ready [*sic*] willing and able to hold the IEP meeting with all constitutes [*sic*].” This was rejected due to the Parent’s email on June 4, 2025 to cancel the meeting.

64. A report card dated June 16, 2025, included marks for all four quarters (Q1, Q2, Q3, and Q4) in various subjects. The following marks were listed:
    a. For math, science, and social studies: No marks were listed for Q1, Q2, Q3, and Q4. The grading legend described a "blank" or no mark, which meant the skill was not applicable at the time, or it was not assessed.
    b. For Language Arts: No marks were listed for Q1, Q2, and Q4. Marks for Q3 were listed as an "N" (needs improvement to meet grade level expectations) in reading informational text and writing.
    c. For Physical Education:
        i. For Q1, the Student received the mark of "N" in all areas except one, in which they received a "ME" (meets grade level expectations). For Q2, the Student received an "N" in all areas. Q3 skills were not applicable or not assessed. For Q4, the Student met grade-level expectations in all areas.
    d. For Music:
        i. Q1 and Q2 skills were not applicable or not assessed. For Q3 and Q4, the Student met grade-level expectations.
    e. For Successful Learner skills in Q1 and Q4 were not applicable or not assessed.
        i. For Q2, the Student received a "PR" (progressing towards grade level expectations) in the following areas:
            (1) Speaks in an appropriate manner, accepts responsibility for own behavior, moves to and from activities in a quiet, responsible manner, listens and follows directions, and stays on task without disturbing others.
        ii. For Q3, the Student received the following:
            (1) The Student met expectations in speaking in an appropriate manner and moving to and from activities in a quiet, responsible manner. They made progress in listening and following directions, and working neatly and carefully to produce a quality product. The Student exceeded grade-level expectations in the area of respecting others and their property.
        iii. Teacher Comments included: "Q1 - Does not attend class regularly, not able to assess. [The Student] would benefit from staying in school full[-]time. Q2 - I have enjoyed getting to know your students and I look forward to helping them learn and finish 1st grade strong [*sic*]! Q3 - I enjoy having your student in my class so much. It has been really fun helping them learn and grow. We are going to keep working hard until the end to learn as much as we can and have as much fun as possible. Thank you for your support in your child's learning! Q4 - Have a good summer! I am so happy I got to be your student's 1st grade teacher!"

65. For the 2024-25 school year, the Student was enrolled for 167 days. According to the Daily Attendance Totals report, the Student was excused-absent for 18.5 days and unexcused-absent for three days.

66. In an interview with the Complaint Investigator, the Director of Student Services shared the communication PWN (October 7, 2024) was intended to streamline communication with the Parent. Communication had become confusing, with the Parent making frequent requests for changes to the IEP, BSP, and other official documents through informal messages. No other

written documents about the communication plan were provided to the Parent other than this notice.

67. In an interview with the Complaint Investigator, the Case Manager shared the following:
    a. The Parent "... would often send messages that didn't make sense or several messages in one day that would conflict with each other, so it was very confusing and hard to understand." The Case Manager indicated the frequency of communication in a variety of modes was greater than that of other parents of students on their caseload. The Case Manager described their email responses to the Parent as "concise."
    b. The Case Manager shared that any school decision regarding a student's identification, evaluation, or educational placement must be documented in a PWN to ensure the Parents understand the School's position.
    c. When asked by the Complaint Investigator about receiving an ROI in the Student's backpack, the Case Manager replied, "I don't remember if that was received or not. A lot of paperwork comes back and forth in the backpack." The Case Manager indicated they had not received an ROI from an outside counselor or an outside psychologist. The Case Manager explained the District could not use an ROI from an outside provider because it was their policy to use their own forms. The District's form gives the School permission to communicate with the outside provider, whereas the outside provider's form only gives them permission to communicate with the School. According to the Case Manager, the Parent frequently changed providers, making it difficult for the School to keep track of the providers. The Case Manager shared that although the Parent wanted the District to communicate with outside providers, communication with these providers was not required to develop or implement the Student's IEP. The Case Manager stated they always took outside documentation into account when it was provided.
    d. The Case Manager described that, while the Student was on an abbreviated school day program, they sent a packet of work home in the Student's backpack.
    e. The Case Manager shared that IEP Progress Reports for the Student were printed in February and June and mailed to the Parent or placed in the Student's backpack, and documented in the Student Information System.

68. In an interview with the Complaint Investigator, the Parent described the communication with the District. The Parent perceived the following:
    a. The email response on September 25, 2024 from the Director of Student Services was "rude," and their overall communication with the District was "not very friendly."
    b. Each time they had a question or concern, the District responded with a PWN. They added, "They just sent PWNs and they would pretty much deny anything I asked."
    c. IEP meetings were scheduled only when the Parent stated they wanted a meeting.
    d. "... they just kind of denied everything that [the Student] didn't need like testing. … didn't need help with wiping."
    e. When the Parent requested that work for the Student be sent home, the Director of Student Services stated, "... we're not going to, we'll send you websites or something. But they didn't."
    f. The Parent shared they had questions regarding the BSP, and with the Student making progress, the BSP should be updated. They shared, "... all year they didn't want to adjust

it. … they didn't want to. They said it was so new … they don't wanna [*sic*] do another plan."

69. The Parent described the IEP meeting on February 11, 2025 in an interview with the Complaint Investigator, "... that meeting did not feel good. … They told me it was going to be a very hard meeting." The Parent recalled the Student's placement on a full-day schedule was going to be discussed, and their advocate was in attendance and helpful. The Parent described they left the meeting with the understanding the Student would attend a full day and the communication log would remain unchanged.

70. In an interview with the Complaint Investigator, the Parent recalled ROIs throughout the year. They recalled an ROI being completed for the Advocate and stated the Case Manager never responded to the Advocate's email. The Parent shared they did not remember if ROIs were completed for the psychologist or the counselor. They shared they had requested an ROI for the Parent BCBA and the Private Counselor, so the counselor could attend an IEP meeting. Additionally, the Parent recalled they had received IEP progress reports. The progress reports were printed and placed in the Student's backpack, and they were handed to the Parent during an IEP meeting.

71. On July 9, 2025, the Parent filed this Complaint.

IV. DISCUSSION

Prior Written Notice

The Complaint alleged the District used PWNs to deny requests for services, accommodations, or collaboration without justification or explanation as required by the IDEA. The District did not contest this allegation.

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

Parent Participation

The Complaint alleged the District violated the IDEA by denying meaningful parental participation in decisions regarding the Student's education by responding to Parent communications unprofessionally.

School districts must provide one or both parents with an opportunity to participate in meetings with respect to the identification, evaluation, IEP, and educational placement of the child, and the provision of FAPE to the child.[3] If no parent can attend, school districts are required to facilitate parental participation through alternative methods, such as conference calls or home visits. An IEP team may convene without a parent, provided the district has

[3] OAR 581-015-2190(1); 34 CFR § 300.322

documented its efforts to schedule a mutually agreeable time and place, including records of telephone calls, correspondence, and the outcomes of home or employment visits. School district attempts to convince parents to attend are considered sufficient if there has been communication directly with parents regarding a mutually agreed-upon time and place, a PWN has been sent, or the school district sends a written notice proposing a time and place for the meeting and states the parent may request a different time and place. Sufficient attempts must be made before the scheduled IEP or placement meeting, and the scheduling of multiple agreed-upon meetings is not required unless the team believes it would be in the best interest of the child. Conference or video calls may be used for meeting participation during IEP team or placement meetings.[4]

A written notice must state the purpose, time, and location of the meeting, and who will be in attendance at the meeting. The written notice is also required to inform the parent they may invite other individuals whom they believe have knowledge or special expertise regarding the child. A written notice must also inform the parent the team may proceed with the meeting even if the parent is not in attendance and notify the parent of whom to contact before the meeting to provide information if they are unable to attend.[5]

The school district must ensure parents understand meeting proceedings by providing necessary accommodations, such as interpreters for deaf parents or those whose native language is not English. If the issues being discussed are not addressed in the child's IEP, informal or unscheduled conversations involving school district personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision are not considered a meeting. Furthermore, preparatory work done by public agency staff to develop proposals or responses for future meetings with parents is also excluded from the definition of a meeting. A meeting may be conducted without a parent in attendance if the school district has given the parent notice.[6]

The District consistently met its procedural obligations to ensure parental participation in the Student's education. The District held multiple IEP meetings and sent timely notices containing the required information. When a Parent requested an interpreter for a meeting, the District attempted to provide one and, when that failed, offered to reschedule the meeting. The District actively sought out Parent input by incorporating the Parent's concerns into the IEPs, collaborating with them on a schedule for increasing the Student's time at school, and modifying a behavior tracker and communication protocol based on their feedback. The agenda for the February 11, 2025 IEP meeting was specifically tailored to address the Parent's concerns. Although the Parent described feeling "humiliated" by the District's decision to implement a communication protocol due to a high volume of messages, the District apologized, indicating that was not their intent, and explained the PWNs were a legal requirement to document decisions.

While the communication from the District may have been perceived as unprofessional by the Parent, the law does not define "unprofessional communication" as a violation of the IDEA's parental participation requirements. The law focuses on procedural compliance. The District's

[4] OAR 581-015-2195; 34 CFR § 300.501
[5] OAR 581-015-2190(2); 34 CFR § 300.322
[6] OAR 581-015-2190(3)(4)(5); 34 CFR §§ 300.322

actions, including the establishment of a communication protocol and its refusal of certain requests, were documented in PWNs that cited relevant data and reasoning. The Superintendent's decision to revoke the interdistrict transfer was an administrative action based on the cumulative professional interactions with the Parent and did not constitute a denial of educational participation under the IDEA.

The Department does not substantiate this allegation.

Free Appropriate Public Education

The Complaint alleged the District violated the IDEA and denied the Student a FAPE by not implementing necessary supports, accommodations, and services for the Student, and by not communicating with the Student's outside mental health and developmental providers.

School districts are responsible for providing a FAPE to all school-age children with disabilities for whom the district is responsible. "School-age children" are children who have reached five years of age but have not yet reached 21 years of age on or before September 1 of the current school year. The requirements of this rule also apply to children with disabilities who have been suspended or expelled from school.[7]

There is no expectation that IEPs be implemented with perfection under the IDEA. "[A] district does not violate the IDEA unless it is shown to have materially failed to implement the child's IEP. A material failure occurs when there is more than a minor discrepancy between the services provided… and those required by the IEP."[8] "[T]he materiality standard does not require that the child suffer demonstrable education harm…However, the child's educational progress, or lack of it, may be probative of whether there has been more than a minor shortfall in the services provided." If a child is not provided with instruction as required, a shortfall in achievement would indicate a material failure to implement the child's IEP. "On the other hand, if the child performed at or above the anticipated level, that would tend to show that the shortfall in instruction was not material."[9]

The District indicated in their *Response* they did not "contest the first part of this allegation related to the alleged failure to implement certain supports, accommodations, and services for the Student." While the District did not contest part of the allegation, the Complaint Investigator sought to determine the impact of the acknowledged discrepancies to determine whether there was a material failure to implement the Student's IEP.

The evidence indicated the District regularly updated the Student's IEP and documented a variety of accommodations and services. The Student's progress reports from January and April 2025 indicated the services were appropriate and effective, showing the Student was consistently "progressing" or had "mastered" most of their goals. The District also demonstrated flexibility by agreeing to the Parent's request for a more gradual increase in the Student's school day, showing a commitment to collaborative decision-making. The District's

[7] OAR 581-015-2040; 34 CFR §300.101
[8] *Van Duyn v. Baker Sch. Dist. 5J*, 502 F3d 811, 815 (9th Cir. 2007).
[9] *Id*. at 822.

eventual proposal to move to a full school day was based on data showing the Student's capacity to access a full school day, which was a sign the District was proactively working towards the Student's full participation in school.

The District actively involved outside providers in the IEP process, including the Parent BCBA and the Private OT. The District's insistence on a signed ROI to communicate with these providers was a necessary step to comply with student privacy laws. The District's efforts to establish a communication protocol were a reasonable response to the high volume of messages from the Parent and were not an attempt to restrict communication, but rather to manage it effectively.

The Student's documented progress indicated the IEP services and accommodations were generally effective and appropriate and did not result in a material failure to implement the IEP or deny the Student a FAPE.

The Department does not substantiate this allegation.

Additional Finding - Content of IEP

When developing a student's IEP, the IEP must include a statement of the student's present levels of academic achievement and functional performance, including how the student's disability affects the student's involvement and progress in the general education curriculum. It must also include measurable annual goals designed to meet the student's needs that result from the student's disability to enable the student to be involved in and make progress in the general education curriculum and meet each of the student's other educational needs that result from the student's disability. The IEP must also include information on how the student's progress toward meeting the annual goals will be measured and provided to the parents. Finally, each IEP must include a statement of the specific special education and related services and supplementary aids and services to be provided to the student, or on behalf of the student.[10]

Parents are entitled to a "formal written offer" of the special education placement offered to their student.[11] This requirement for a "formal written offer" has been applied to special education services, as well as placement. Courts have invalidated IEPs that "were insufficiently clear and specific to permit parents to make an intelligent decision whether to agree, disagree, or seek relief through a due process hearing."[12] Appendix A of the IDEA regulations states that "the amount of services to be provided must be stated in the IEP, so that the level of the agency's commitment of resources will be clear to parents and other team members."[13]

The specific special education, related services, and supports to be provided must enable the student to: 1) advance appropriately toward attaining their annual goals, 2) be involved and make progress in the general education curriculum, and 3) be educated and participate with

[10] OAR 581-015-2205(1); 34 CFR § 300.320
[11] *Union v. Smith*, 15 F.3d 1519 (9th Cir. 1994)
[12] *S.H. v. Mt. Diablo Unif. Sch. Dist.*, 263 F.Supp.3d 746 (N.D. Cal. 2017
[13] *Bend-Lapine Sch. Dist. v. K.H.*, 43 IDELR 191 (D. Or. 2005)

other students with and without disabilities.[14] The IDEA "requires an educational program reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances."[15] In considering this standard, "Advancement from grade to grade is appropriately ambitious for most children in the regular classroom."[16]

While it did not amount to a denial of FAPE, as described above, in the Student's August 27, 2024 IEP, the specific amount of services to be provided to the Student for behavior and life skills was not able to be determined from the record. This is a violation of the IDEA's requirements related to IEP Content.

V. CORRECTIVE ACTION[17]

In the Matter of Jefferson School District 14J
Case No. 025-054-050

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 develop and conduct training for all staff responsible for implementing IEPs at the Elementary School. The training will consist of IEP content requirements, especially related to service summary requirements, and the District's responsibility to issue PWNs, including timing and content of PWNs.	The District shall submit the following: Training agenda and materials to ODE for review and approval. Sign-in sheet from training.	 **October 31, 2025** **February 27, 2026**

Dated: this 5 Day of September 2025

Ramonda Olaloye

_____

[14] OAR 581-2200(1)(d); 34 CFR § 300.320(a)(4)
[15] *Endrew F. v. Douglas Cty. Sch. Dist.*, 137 S.Ct. 988, 1001 (2017)
[16] Id. at 1000
[17] 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)).

Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: September 5, 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).)