BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Jefferson School District 14J	)	FINDINGS OF FACT,
	)	CONCLUSIONS,
	)	AND FINAL ORDER
	)	Case No. 25-054-062

I. BACKGROUND

On September 25, 2025, the Oregon Department of Education (Department) received a written request for a special education complaint investigation from the parents (Parents) of a student (Student) residing in the Jefferson School District 14J (District). The Parents requested that the Department conduct a special education investigation under OAR 581-015-2030. The Department confirmed receipt of this Complaint and forwarded the request to the District.

Under state and federal law, the Department must investigate written complaints that allege violations of the Individuals with Disabilities Education Act (IDEA) and issue an order within sixty days of receipt of the complaint.[1] This timeline may be extended if the Parents 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 September 30, 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 October 14, 2025. On October 3, 2025, the Parties agreed to engage in mediation. The Parent also agreed to pause the investigation. On November 10, 2025 the Parent withdrew from mediation and the investigation resumed.

The District submitted a *Response* on December 7, 2025, did not contest the allegation, and proposed stipulated corrective action. The District submitted the following relevant items:

1. Email Correspondence (All Subjects): 12/01/23 – 11/05/25
2. Accommodations for the Classroom: 10/23/[no year] – 05/07/[no year]
3. Acadience Learning Online Data: 10/21/24
4. Accepted Meeting Invitation: 03/07/25 – 09/28/25 (5 instances)
5. Autism Spectrum Observation Report: 03/21/25
6. Canceled Meeting Event: 03/11/25
7. Counseling Group/Individual Log: 09/02/24 – 06/02/25 (3 instances)
8. Daily Attendance Profile: 2024-25 School Year – 2025-26 School Year (2 instances)

[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. Daily Behavior Tracker / Daily Behavior Chart: 12/02/24 – 05/30/25 (2 unique groupings/forms)
10. Declined Meeting Invitation: 09/24/25
11. Direct Messages Between: 09/06/[24] – 06/11/[25] and 10/08 – 09/19 (4 distinct groupings)
12. District Policy IGBA / IGBA-AR / IGBAH / IGBAH-AR: revised 02/10/20 – revised 01/11/21 (4 instances)
13. District Response: 11/24/25
14. Draft Section 504 Plan: 09/16/25 (2 instances)
15. Families' Experiences with PANDAS (Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections) and Related Disorders: 04/11/15
16. IXL Diagnostic Action Plan / IXL Flex Diagnostic Action Plan: 10/22/24 – 03/18/25 (3 instances)
17. Meeting Invitation: 09/25/23 – 10/02/25 (7 instances)
18. Meeting Notes / 504 Meeting Notes: 05/01/25 – 09/29/25 (4 instances)
19. OT Department - School Performance Checklist: 02/03/25
20. OT Evaluation: 02/10/25 (6 instances)
21. OT Sensory Diet: 09/18/23 – 01/10/24 (5 instances)
22. PANDAS and PANS (Pediatric Acute-onset Neuropsychiatric Syndrome): Essential Facts for Teachers: no date
23. Parent/Student Rights in Identification, Evaluation and Placement: no date (2 instances)
24. ParentSquare Message: 09/23/24 – 09/19/25 (24 instances)
25. Pre-Referral Form: no date
26. Prior Notice about Evaluation/Consent for Evaluation: 02/06/25
27. Prior Notice of Special Education Action: 03/18/25 – 05/16/25 (5 instances)
28. Procedural Safeguards Notice: no date (12 instances)
29. Psycho-Educational Re-Evaluation: 05/01/25 (2 instances)
30. Report Card: 06/16/25
31. Request for Complaint Investigation: 09/24/25 (2 instances)
32. Request for Health/Medical Information: 09/25/23
33. SAT Data for [the Student]: 09/15/24 – 10/21/24
34. Screenshot of [the School's] Student Parent Handbook: 2025-26 School Year
35. Section 504: 10/25/24
36. Section 504 Notice of Conference: 09/16/25 (2 instances)
37. Special Education Notice of Team Meeting: 01/10/25 – 04/21/25 (10 instances)
38. Statement of Eligibility for Special Education - Other Health Impairment (80): 05/01/25 (3 instances)
39. Statement of Eligibility for Special Education - Specific Learning Disability (90): 05/01/25 (3 instances)
40. Student Assessment List: 02/06/25
41. Student Worksheets: no date
42. Suicide Risk Assessment - Level 1: 04/02/25
43. Summary of Findings - Bullying Investigation: Spring 2025
44. Teacher Report: 09/16/25 – 09/19/25 (2 instances)
45. Tentatively Accepted Meeting Invitation: 09/22/25

46. Updated Meeting Invitation: 02/06/25 (2 instances)

On December 16, 2025, the Complaint Investigator provided the nature and content of a Stipulated Corrective Action and the District's proposal to the Parent. This order is timely.

II. ALLEGATIONS AND CONCLUSIONS

The Department has jurisdiction to resolve this Complaint under 34 CFR §§ 300.151-153 and OAR 581-015-2030. The Parents' allegations and the Department's conclusions are set out in the chart below. The conclusions are based on the Findings of Fact in Section III and the Discussion in Section IV. This Complaint covers the one-year period from September 26, 2024, to the filing of this Complaint on September 25, 2025.

Allegations	Conclusions
General Evaluation and Reevaluation Procedures; Evaluation Planning; Interpretation of Evaluation Data The Complaint alleged the District violated the IDEA by not conducting a thorough and valid special education evaluation dated May 1, 2025, by omitting critical and relevant information, specifically the Student's prior mental health crisis from April 2025, and minimizing or dismissing concerns raised by the Parent and the Teacher on the BASC-3 behavior scale. (OAR 581-015-2110(3)(4), OAR 581-015-2115, 581-015-2125; 34 CFR §§ 300.304 & 300.305)	**Not Contested** The District did not contest this allegation.

REQUESTED CORRECTIVE ACTION
● "Restorative Conversation: A restorative conversation between [the Student] and [their] classroom teacher, facilitated by a highly qualified licensed school counselor or qualified mental health professional with training in restorative practices and trauma-informed care. The purpose of this conversation is to rebuild trust, ensure [the Student] feels safe and heard in [their] learning environment, and repair relational dynamics that may be impacting [the Student's] access to education." ● "Targeted Staff Training: Professional development for the classroom teacher, school counselor, and key support staff on the following topics: Supporting neurodivergent learners and students with disabilities; Implementation of trauma-informed practices in the classroom; Strategies for inclusive behavior supports and positive communication; Understanding power dynamics in student-teacher relationships and how to promote shared power and student voice; Building psychologically safe classrooms and

responding appropriately to emotional/behavioral distress. These action steps aim to ensure that [the Student] can return to a safe, supportive learning environment where [the Student's] needs are understood, and [their] dignity is respected."

- "Conduct a timely, thorough re-evaluation of [the Student] in accordance with IDEA requirements, to determine [the Student's] current eligibility and service needs. This re-evaluation must: include meaningful input from parents and all staff members who work closely with [the Student], including general education teachers, support staff, and related service providers; consider updated behavioral, emotional, and academic data, including any patterns of school avoidance or emotional distress; incorporate relevant observations, rating scales (e.g., BASC-3), and functional data including a Functional Behavior Assessment that reflects [the Student's] current challenges and strengths across settings. The purpose of this re-evaluation is to ensure a complete, unbiased understanding of [the Student's] needs and to determine whether specially designed instruction or additional supports are required under IDEA or Section 504."
- "Promptly provide documentation from meetings held during the 2025–2026 school year, including meeting minutes and related paperwork."
- "Establish and maintain a data tracking system to ensure consistent implementation and monitoring of [the Student's] Section 504 accommodations. This system should: document when and how each accommodation is provided, including frequency, staff responsible, and setting; track student outcomes and effectiveness, such as classroom participation, behavior, academic progress, and access to the general education environment; be accessible to all team members and shared with parents to promote transparency and collaboration. This system will ensure accountability and allow the team to make data-informed decisions to support [the Student's] access to a Free Appropriate Public Education (FAPE) under Section 504."
- "Immediately convene the appropriate school-based team, including parents and a qualified mental health professional, to develop a formal, individualized safety plan for [the Student]. The safety plan should: address [the Student's] emotional and psychological safety needs related to past incidents and current school avoidance; include clearly defined preventive strategies, de-escalation supports, and crisis response procedures; identify specific staff roles and responsibilities; ensure communication protocols between school staff and parents; be integrated into [the Student's] 504 Plan to ensure accountability and access to a Free Appropriate Public Education (FAPE). Given the severity of [the Student's] emotional distress and current lack of access to the general education classroom, the safety plan must be developed without delay and implemented with fidelity to support [the Student's] return to a safe and supportive learning environment."

III. FINDINGS OF FACT

1. The Student is a third-grade student and attended an elementary school in the District. The Student is no longer enrolled in the District.

2. The Student was found not eligible for special education services in the areas of Other Health Impairment (OHI) and Specific Learning Disability (SLD) in May 2025. The Student continued to receive support through a 504 plan.

3. The Student is very social, creative, and goal-driven. The Student is also a loving and caring child, particularly toward their family and pets. (**D22**)

4. On September 25, 2025, the Parents filed this Complaint.

IV. DISCUSSION

The Complaint alleges an IDEA violation that the District does not contest.

The Department does not make a substantive determination on the allegations of the Complaint.

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

V. CORRECTIVE ACTION[3]

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

Action Required	**Submissions**	**As Soon As Possible But No Later Than Due Date**
1. The District must work with the current District to determine if the Student is eligible for Special Education. If the Student is found eligible for special education, the current IEP Team, in consultation with the District, must determine whether compensatory education is appropriate and, if so, the amount and process for delivering it.	The District shall submit the following: Documentation demonstrating that the District worked with the Student's current district to determine if the Student is eligible for	**March 13, 2026**

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

Although the Student is no longer enrolled within the District, the District remains responsible for ensuring any required compensatory education is completed.	Special Education and any compensatory education. Completed plan for delivery of any Compensatory Education determined appropriate by the current IEP Team in consultation with the District. Evidence showing compensatory education was provided.	 **March 13, 2026** **September 30, 2026**
2. The District must ensure that all District staff responsible for evaluating and determining eligibility receive training in each of the following areas: ● Conducting a comprehensive evaluation ● Eligibility determination ● The role of parent and teacher input	Training agenda/materials to ODE for review/approval. Sign-in sheet for training.	**February 15, 2026** **March 15, 2026**

Dated: this 31 Day of December, 2025



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Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: December 31, 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).)