BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of La Grande School District 1	))))	FINDINGS OF FACT, CONCLUSIONS, AND FINAL ORDER Case No. 26-054-015

I. BACKGROUND

On January 30, 2026, the Oregon Department of Education (Department) received a written special education complaint (Complaint) from the parents (Parents) of a student (Student) who attends a middle school in the La Grande School District (District). The Complaint requested that the Department conduct a special education investigation under OAR 581-015-2030. The Department confirmed receipt of the 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 to engage in mediation or local resolution or for exceptional circumstances related to the complaint.[2]

On February 11, 2026, 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 February 25, 2026.

The District submitted a *Response* on February 25, 2026. In its *Response*, the District disputed each of the allegations, provided an explanation, and submitted documents in support of the District's position. The District submitted the following relevant items:

1. IEP, 1/22/25
2. Notice of Team Meeting, 1/22/25
3. Prior Written Notice of Special Education Action (PWN), 1/22/25
4. Meeting Notes, 1/22/25, 6/6/25
5. Special Education Placement Determination, 1/22/25
6. Notice of Team Meeting, 6/3/25
7. PWN, 6/6/25
8. Student Grade Report and Progress Report, 1/26/26
9. Emails, 2024-2025 and 2025-26 School Year

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

10. Student Data, 2025-2026 School Year

On February 28, 2026, the Parents submitted a *Reply* to the District's *Response* and the following relevant item:

1. Email re follow-up to interview, 3/9/26

On February 6, 2026 and March 9, 2026, the Complaint Investigator interviewed the Parents. The Complaint Investigator interviewed District personnel on March 5 and 6, 2026. Virtual interviews were conducted instead of on-site interviews. The Complaint Investigator reviewed and considered all these documents, interviews, and exhibits in reaching the findings of fact and conclusions of law contained in this order. This order is timely.

II. ALLEGATIONS AND CONCLUSIONS

The Department has jurisdiction to resolve this Complaint under 34 CFR §§ 300.151-153 and OAR 581-015-2030. The Parents' allegations and the Department's conclusions are set out in the chart below. The conclusions are based on the Findings of Fact in Section III and the Discussion in Section IV. This Complaint covers the one-year period from January 29, 2025 to the filing of the Complaint on January 30, 2026.

Allegations	Conclusions
When IEPs Must Be in Effect The Complaint alleged that the District violated the IDEA by not providing special education and related services in accordance with the Student's IEP. Specifically, the District: 1) failed to implement the Specially Designed Instruction (SDI), 2) failed to implement the accommodation for all assignments in digital format or hard copy, and 3) failed to provide the Parent with progress reports that explain the Student's progress toward their annual IEP goals since the start of the 2025-2026 school year. (OAR 581-015-2220; 34 CFR §300.323)	**Substantiated, in Part** The District failed to provide the Student with the amount of SDI in math required by their IEP.

Free Appropriate Public Education (FAPE) Due to the alleged IDEA violations detailed above, the Complaint alleged that the District failed to provide the Student with a FAPE. (OAR 581-015-2040; 34 CFR §300.101)	**Substantiated** The Student was denied a FAPE when the District failed to provide the Student with the amount of SDI in math required by their IEP.

REQUESTED CORRECTIVE ACTIONS

The Complainant requested corrective action as follows:

1. Ensure that all IEP services and accommodations are implemented without further delay.
2. Services will Include instructional practices and interventions that research has shown to be effective for improving learning and developmental outcomes specific to Student's needs.
3. Instruction will be delivered by a special education teacher or interventionist highly qualified to support specific to Student's needs.
4. Determine and provide appropriate compensatory education for all missed services.
5. Establish district-level oversight and accountability measures to ensure ongoing compliance with IEPs.
6. Provide written documentation detailing when SDI services will begin, who will provide them, how service minutes will be tracked, and how parents will be notified if services cannot be delivered as scheduled.

III. FINDINGS OF FACT

IDEA regulations limit complaint investigations 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 January 31, 2025. Any facts listed below relating to circumstances or incidents earlier than that date are included solely to provide context necessary to understand the Student's disability and special education history.

1. The Student is 12 years old and is in the 6th grade. The Student is eligible for special education under the category of Specific Learning Disability (SLD) and Other Health Impairment (OHI).

2. The Student was enrolled in and attended a middle school in the District (the Middle School) during all times relevant to the Complaint.

3. In fall 2025, the Student started 6th grade at the Middle School for the 2025-26 school year.

4. At the time of Student's enrollment in the Middle School, they had an active IEP dated January 22, 2025, and amended June 6, 2025, that was developed by the Student's prior elementary school. The January 22, 2025 IEP, as amended on June 6, 2025, includes among other things:

a. Student strengths, interests, and preferences: The Student is "creative, imaginative and empathetic." They "self advocate," but "benefit from check-ins or problem-solving," and the Student enjoys "science, audiobooks and playing outside."

b. Parent Concerns: The Parents are concerned about the Student's writing, focus and executive functioning. The Parents note that, while the Student enjoys math, complex math with multiple steps may require additional support.

c. Present Levels of Performance: In the area of writing, "[w]hen provided access to classroom resources and tools (electronic spell checker, a student dictionary, and a writing checklist), [the Student] independently responds to a writing prompt with a minimum Correct Writing Sequence of 70% in 2/4 trials..." "A Correct Writing Sequence is achieved when two words appearing next to each other are correct in punctuation, spelling, and syntactical and semantic usage." In the area of Math, The Student's i-Ready diagnostic assessment places [them] at an overall 4th grade level. Their scores include: Numbers and Operations, grade 4; Algebra and Algebraic Thinking, grade 4; Measurement and Data, early grade 5; and Geometry, early grade 5. The Student scored at the 39th percentile when compared to other students at their grade level.

d. Goals: The IEP includes goals in the areas of writing and math.

   i. Writing: The Student's writing goal states, "When provided access to classroom resources and tools (electronic spell checker, a student dictionary, and writing checklist) [the Student] will independently respond to a given prompt with a minimum correct writing sequence of 75% in ¾ trials as measured by student writing samples by 1/21/25 [sic]."

   ii. Math: The Student's math goal states, "[The Student] will perform operations with multi-digit whole numbers and with decimals to hundredths by adding, subtracting, multiplying, and dividing decimals and finding whole-number quotients of whole numbers with up to four-digit dividends and two-digit divisors with a minimum of 80% accuracy as measured by informal assessments and/or daily work by 1/21/26."

e. Specially Designed Instruction (SDI): The anticipated location for all SDI is designated as "Resource Room" and the role responsible for monitoring the SDI is identified as "Case Manager."

   i. Written Language for 200 minutes per week;
   ii. Mathematics for 120 minutes per week.

f. Related Services: The Student is not in need of related services.

g. Supplementary Aids/Services; Accommodations: Repeat/Clarification of directions; preferential seating; speech text; teaching mode: repeated review; break larger assignments into smaller parts; extended time (assessments or assignments); class assignments materials and assignments uploaded into Google Classroom; instructional materials: copy of notes provided; provide word bank and spell check resources; provide

checklist for writing assignments; verbally brainstorm for prewriting; alternate methods used to demonstrate mastery of material; grade on content, not conventions or spelling; provide graph paper for math assignments or assessments.

h. Supports for School Personnel: Consultation for teaching staff from the Case Manager for 10 minutes monthly.

i. Non-Participation Justification: "[The Student] will be removed from [their] classroom setting for 320 minutes per week for support in writing and math." "[The Student] would benefit from a small group setting with limited distractions."

5. The Student's IEP team met to review their IEP on June 6, 2025. The January 22, 2025 IEP was amended to add six accommodations to assist with the Student's transition to the Middle School. The six new accommodations were: "Class assignments materials and assignments uploaded into Google Classroom;" "Copy of notes provided;" "Provide word bank and spell check resources;" "Provide checklist for writing assignments;" "Alternate methods to demonstrate mastery of material;" "Grade on content, not conventions or spelling;" and "Provide graph paper for math assignments or assessments."

6. According to an interview with the Student's case manager from the 2024-25 school year (Elementary Case Manager), accommodations were added at the June 6, 2025 IEP Meeting based on the IEP team's discussion of the Student's transition to middle school and a change in service delivery model, with full inclusion in general education and exposure to online curriculum. The Elementary Case Manager indicated that adding assignments to Google Classroom was intended to provide a digital tracking platform for the Student and the Parents to view, monitor, and print assignments as necessary.

7. When interviewed, the Student's case manager for the 2025-26 school year (Case Manager) reported that upon transition into the Middle School, general education teachers conduct i-Ready assessments with all incoming students who are eligible for special education and then, based on these results, students are assigned locations for SDI. SDI is provided either in the Resource Room with the Case Manager or via a "push-in" or "inclusion" model in the students' general education classes.

8. The Case Manager, Language Arts Teacher, and Math Teacher reported that, during sixth grade at the Middle School, the Student was not removed from general education classes to receive SDI. At the start of the 2025–26 school year, the Language Arts Teacher assessed the Student using i-Ready, an online progress monitoring tool used by the District, and determined that pull-out services in the Resource Room were not necessary. Instead, the Student received SDI during scheduled weekly "intervention time" in both writing and math, using online programs such as IXL, Quill, and Prodigy, with guidance and support from the Language Arts and Math Teachers. The teachers reviewed the Student's IEP goals with the Case Manager, tracked SDI service minutes, and shared progress monitoring data with the Case Manager to be provided to the Parents alongside the Student's report card at the end of the semester.

9. The Case Manager reported that they met weekly with the Student's general education teachers, typically for 30 minutes, to consult on the Student's SDI and determine how the online curricula used with the Student could be tailored to the Student's IEP goals. The Case Manager also explained that, in addition to the online curriculum, SDI would be provided individually to the Student by the general education teachers during times when the other students in the class were engaged in classwork.

10. In an interview, the Language Arts Teacher indicated they created a tracking document with a weekly list of academic activities the Student accessed to meet their SDI minutes for writing and math. Math minutes included: 20-40 minutes/week using IXL; 50 minutes/week practicing times tables; and 5 hours/week working on general math skills. Written Language minutes included: 60 minutes/week using IXL (based on i-Ready diagnostics and IEP goals), 20-40 minutes/week using Quill (Writing and Grammar); 20 min/week on CUPS + Editing practice; 20 minutes/week on typing practice; 20 minutes/week on handwriting; and 20-40 minutes/week using Prodigy. The Student accessed on-line curricula for SDI for individually tailored instruction responsive to their IEP goals, short-term objectives and i-Ready assessment data for a total of 200 minutes weekly for Written Language, per Student's January 22, 2025 IEP. The Language Art Teacher noted they regularly met with the Case Manager to talk about the Student's goals; what they were working on and what they needed to focus on. The Student was assigned specific lessons on IXL based on the Student's i-Ready assessment results as well as lessons the Language Arts Teacher assigned that were specifically related to the Student's goals.

11. In an interview, the Math Teacher indicated they monitored the Student's math SDI minutes using the tracking document created by the Language Arts Teacher. The Student's math SDI included 20-40 minutes/week using IXL and 50 minutes/week spent reviewing times tables. They shared that the tracking document also included the Student's daily time receiving general education math instruction, for a total of 5 hours/week.

12. When interviewed, both the Language Arts and the Math Teachers described consistent use of supports with the Student for tracking their assignments, including the use of both paper and digital planners, as well as uploading photos of paper assignments to Google Classroom.

13. On October 3, 2025, the Parent confirmed with the Student's Science Teacher via email that Student was caught up on their assignments in their science class. The Parent asked about assignment tracking and the Science Teacher shared that they could provide paper copies of assignments. The Science Teacher also explained that due dates in Google Classroom are automatically updated when assignments are posted and the Student can find due dates for paper assignments in StudentVue, the District's online student information platform. The Science Teacher also indicated that they assist the Student each day with updating their planner, including due dates for assignments, and encourage the Student to bring the planner home each day. The Parents expressed that they preferred paper assignments but were working to become more familiar with Google Classroom and StudentVue. The Science teacher offered to provide tutorial support for these platforms if needed.

14. On October 6, 2025, the Parent emailed the Math Teacher regarding the Student's assignments. The Math Teacher responded that they would send home missing assignments and assist the Student with tracking assignments in their planner.

15. On October 8, 2025, the Parent emailed District staff to alert them that the Student was having a "hard time" adjusting to middle school and "the change in IEP level supports." The Parent requested information on hybrid learning and homeschooling; updated i-Ready diagnostic information and the most current copy of the Student's IEP.

16. On October 8, 2025, the Vice Principal for the Middle School emailed the Parent to offer a conference with the Student's teachers on November 3, 2026 to discuss supports for the Student.

17. On October 14, 2025, the Parent sent an email to the Math Teacher informing them that the Student would be out of the country from October 24, 2025 to November 4, 2025 and requesting schoolwork for those days.

18. On November 3, 2025, the Parents, the Principal, the School Counselor, the Case Manager, the Language Arts Teacher and the Math Teacher met to discuss the Student's middle school transition and academic challenges.

19. On December 19, 2025, the Case Manager emailed the Parent to share that they were attending additional training in mid-January at Eastern Oregon University and that they believed this would provide them with more tools to assist the Student.

20. On January 12, 2026 the Parent emailed the Case Manager requesting specific data on the Student's special education services, including i-Ready diagnostic assessments, detailed reports on IXL, if used for delivery of SDI, including, "…how many lessons/minutes [the Student] has spent working on specific math or writing goals in [their] IEP as well as growth in these areas." The Parent also sought more information on current interventions used with the Student.

21. On January 14, 2026, the Case Manager sent the Parent an email stating, "Attached, hopefully, is some of the information you requested. I am working on the other i-Ready diagnostic, reading. I am also gathering the other information for you." The following documents were attached to the email: "IXL Dashboard," three IXL summary reports, two IXL diagnostic reports, a Quill report on "Assigned Activities," a Quill report on "Classwork", and a "Diagnostic Growth" report in math.

22. In a January 14, 2026 email exchange between the Parent and the Math Teacher regarding the Student's grades for the end of the second quarter, the Math Teacher noted the Student was missing notes for one math lesson and indicated they would provide a physical copy and post it to Google Classroom.

23. In a January 15, 2026 email exchange between the Parent and the Language Arts Teacher regarding the Student's grades for the second quarter, the Language Arts Teacher noted that

two reading assignments were available in Google Classroom and that the Student knows how to access them

24. On January 16, 2026, the District's Director of Student Services (Director) emailed the Case Manager and inquiring if the Case Manager had responded to the Parent's January 14, 2026 email requests and requested a meeting with the Case Manager and the Principal, ''so we can get up to date on this case."

25. On January 30, 2026, the Parents filed this Complaint.

26. An IEP progress report, dated January 26, 2026, was completed by the Case Manager and provided to the Parents on February 16, 2026 along with the Student's report card. The progress report reflected the following:

    a. Math: "[The Student] has shown an ability to complete long division problems accurately when given a multiplication chart. [They] also passed [their] assessment on decimal operations with a score of 80%. [They are] continuing to demonstrate skills in these areas during spiral review." "On our second iReady test, [the Student] chose not to use a separate location or [their] multiplication chart. This resulted in a lower score than [they] received in the fall. I spoke with [them] about it, and [they] decided to attempt the test again with [their] multiplication chart and a separate setting. [They] completed this attempt in 35 min. This test typically takes between 60-75 min. For these reasons, I don't feel [their] score is an accurate representation of [their] abilities." "In the fall, [the Student] had an overall score of 477, [their] first attempt in the winter was 467, [their] second attempt in the winter was a 476. I expect to see this score increase in the spring, if [the Student] chooses to use the supports listed in [their] IEP."

    b. Writing: The Student met their Writing goal. The Language Arts Teacher noted in the comment section, "[The Student's] most recent goal in this area is still a SMART goal to keep as [they go] over the correct writing sequence through quill and IXL."

27. When interviewed, the Language Arts Teacher confirmed that the Student met their Writing goal, including all short-term objectives, based on their review of three of the Student's writing samples in early February 2026. They explained that their comment on the progress report about keeping the Writing goal was because, while the Student was able to meet the goal using online programs, they suspected the Student would not meet all of the short-term objectives consistently if required to handwrite on paper.

28. The Student's semester report card, provided to the Parents on February 16, 2026, shows that the Student earned the following grades:

    a. Advisory 6: A
    b. Band 6: A
    c. Physical Education 6: A
    d. Intervention 6: A
    e. Math 6: A
    f. Reading 6: B

g. Writing 6: A
h. Science 6: A
i. Social Studies 6: A

29. The Parents reported to the Complaint Investigator that the Student experienced detriment due to the District's failure to consistently implement the Student's IEP and accommodations. They described how the Student "developed a noticeably more negative attitude and what [the Parent] can only describe as a protective shell." The Student experienced "real and significant," damage to their "self-concept," and their "relationship with learning." The Parents acknowledged that the Student's teachers worked hard to support the Student, but the Student struggled without consistent special education services. The Student and the Parents consistently reviewed assignments in Google Classroom, and the Student would frequently redo assignments to get a better grade as their teachers encouraged this additional effort. The Student attended "access," hours with their general education teachers to review assignments and receive support. The Parents noted that the Language Arts Teacher began to add assignment commentary on grading in Google Classroom that assisted the Student's efforts to bring their grades up on specific assignments.

V. DISCUSSION

When IEPs Must Be in Effect

The Parents alleged that the District violated the IDEA by not providing special education, accommodation as a supplementary aide/service and progress reports in accordance with the Student's IEP. Specifically, the District failed to implement the SDI, the accommodation for all assignments in digital format or hard copy, and progress reports for the first semester of the 2025-2026 school year required by the Student's IEP, dated January 22, 2025.

School districts must provide special education and related services to a student with a disability in accordance with the student's IEP.[3] The school district must ensure that each staff member, including service providers, has access to a student's IEP and is informed of their specific responsibilities for implementing the IEP.[4] "IEP Teams and other school personnel should be able to demonstrate that, consistent with the provisions in the child's IEP, they are providing special education and related services and supplementary aids and services."[5]

Special education is defined as "specially designed instruction," that is provided at no cost to the parents and is intended to meet the unique needs of a child with a disability. "Specially Designed Instruction" means adapting, as appropriate to the needs of a child with a disability, the content, methodology, or delivery of instruction: 1) to address the child's unique needs resulting from the disability; and 2) ensuring the child's access to the general education curriculum.[6]

[3] OAR 581-015-2220(1)(a); 34 CFR §300.323(c)
[4] OAR 581-015-2220; 34 CFR §300.323
[5] Questions and Answers on *U.S. Supreme Court Decision Endrew F. v. Douglas County Sch. Dist.* Re-1, 71 IDELR 68 (EDU 2017)
[6] OAR 581-015-2000(37); 34 CFR §300.39(b)(3)

A district violates the IDEA when it materially fails to implement an IEP.[7] "A material failure occurs when there is more than a minor discrepancy between the services a school provides to a disabled child and the services required by the child's IEP."[8] As further explained by the court in *Van Duyn*:

> "The materiality standard does not require that the child suffer demonstrable educational harm in order to prevail. However, the child's educational progress, or lack of it, may be probative of whether there has been a significant shortfall in the services provided. For instance, if the child is not provided the reading instruction called for and there is a shortfall in the child's reading achievement, that would certainly tend to show that the failure to implement the IEP was material. 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]

Specially Designed Instruction

When the Student transitioned to the Middle School at the start of the 2025-26 school year, the District was obligated to continue to implement the January 22, 2025 IEP, as amended on June 6, 2025. This included 200 minutes per week of SDI in Written Language and 120 minutes per week of SDI in Math. The Parents expressed concern that the Student did not receive their SDI in the Resource Room as indicated by their IEP. The District argued that, while the method of providing the Student's SDI may look different than what was provided at the elementary school, in that it was provided in the general education setting rather than the Resource Room, it still constituted SDI. SDI does not necessarily have to be provided one-to-one or face-to-face with a special education teacher. SDI can be provided by a general education teacher or other non-certified staff member (e.g., a paraeducator or instructional assistant) so long as the instruction is both designed and monitored by a special education teacher. Further, instruction can only be characterized as "specially designed" if the content, methodology, or delivery of instruction is adapted to meet the unique needs of the individual student.

In this case, the Student's SDI was provided through the use of both individual instruction by the Student's general education teachers and varied on-line curriculum tools (i.e., IXL, Quill, Cups+ and Prodigy,). The District established that this instruction was individually tailored to the Student's specific IEP goals. In addition, the Case manager met weekly with Student's general education teachers to collaborate on the design and implementation of the Student's SDI and monitored their SDI by reviewing data that was collected by the general education teachers for the purpose of reporting the Student's progress.

The Language Arts Teacher credibly described how they provided the Student with the required 200 minutes per week of SDI in Written Language and this was corroborated by their SDI tracking document. The District did not, however, establish that the Student received the

[7] *Van Duyn v. Baker Sch. Dist. 5J*, 502 F3d 811 (9th Cir. 2007) ("Van Duyn")
[8] *Id.*
[9] *Id.*

required amount of SDI in Math. The evidence provided establishes that the Student received 70-90 minutes per week of SDI in Math, consisting of 20-40 minutes per week using IXL and 50 minutes per week on review of times tables. This falls short of the 120 minutes per week of SDI required by the Student's IEP. While the SDI tracking document included the five hours per week that the Student spent in their general education math class, the District did not demonstrate that the instruction provided to the Student during that time meets the definition of SDI.

Progress Reporting

According to the January 22, 2025 IEP, progress on the Student's IEP goals was to be reported "twice annually at report card time." At the time that the Parents filed the Complaint, the District had not yet issued report cards to students at the Middle School. Accordingly, the District was not yet required to provide the Parents with progress reports on the Student's IEP goals.

Accommodations

The Complaint alleged that the District failed to implement the Student's accommodation that all assignments be provided in digital format or hard copy. According to the January 22, 2025 IEP, the District was required to upload the Student's class assignments and materials into Google Classroom. There are no other accommodations requiring that assignments be provided in a digital format or hard copy. The evidence provided by the District, and corroborated by the Parents, established that the Student's teachers consistently uploaded their assignments to Google Classroom.

Once it is established that there was a failure to implement the Math SDI in the Student's IEP, the question then turns to whether that failure was material. A material failure occurs when there is more than a minor discrepancy between the services a school provides to a student and the services required by the student's IEP. While the District provided the Student's SDI in the general education setting, rather than the Resource Room as indicated by their IEP, the District was able to establish that the instruction provided did constitute SDI. There was no evidence provided that the Student was unable to access the SDI provided in the general education classroom. Accordingly, the provision of SDI in a different setting was not a material failure to implement the Student's IEP.

The failure to provide the Student with all of their required SDI in Math was more than a "minor discrepancy" and constitutes a material failure to implement the Student's IEP. The District could only establish that it provided 70-90 minutes of the 120 minutes per week that were required by the Student's IEP, a deficit of 25% or more. In addition, evidence of the Student's progress on their math goal during the time period of the complaint was variable. While the Student made some progress in decimals and long division, the latter was only achieved with the use of a multiplication chart. This was not a tool that was referenced in the Student's math goal or listed as an accommodation in their IEP. Further, while the Math Teacher may question

the validity of the scores, i-Ready assessment data showed a lack of expected progress in the area of math.

The Department substantiates this allegation, in part, as to the District's failure to implement the Student's SDI in math.

Free Appropriate Public Education

Due to the alleged IDEA violation detailed above, the Parents alleged that the District failed to provide the Student with a FAPE.

Each school district is responsible for providing a free appropriate public education to school age children with disabilities for whom the school district is responsible.[10] In Oregon, the school district who is responsible for providing FAPE to a student is the student's district of residence.[11] The IDEA defines FAPE as special education and related services that: 1) Are provided at public expense, under public supervision and direction, and without charge; 2) Meet the standards of the state educational agency; 3) Include an appropriate preschool, elementary school, or secondary school education; and 4) Are provided in conformity with an IEP.[12]

To determine if a student has been denied a FAPE, courts must consider whether the school district complied with the procedural requirements of the IDEA, and whether the school district met the substantive requirement to develop an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances.[13] Not all procedural violations amount to a denial of FAPE. A school district's procedural violation denies FAPE to a student if it results in a loss of educational opportunity or if it seriously infringes on the parents' opportunity to participate in the development of the IEP.[14]

In this case, the District violated the IDEA when it failed to provide the Student with the math SDI required by their IEP. As discussed above, this was a material failure and resulted in a loss of educational opportunity to the Student because they did not receive the SDI that would enable them to progress toward meeting the goals in their IEP.

The Department substantiates this allegation.

V. CORRECTIVE ACTION

In the Matter of La Grande School District 1
Case No. 26-054-015

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

[10] OAR 581-015-2040(1); 34 CFR §300.101(a)
[11] OAR 581-015-2040
[12] OAR 581-015-2040; 34 CFR §300.17
[13] *Endrew F.,* 137 S.Ct. at 999
[14] *W.G. v. Bd. of Trustees of Target Range Sch. Dist. No. 23,* 960 F.2d 1479, 1484 (9th Cir. 1992)

Action Required	Submissions	Due As Soon As Possible But Not Later Than
1. The District will convene a meeting with the Parent to determine appropriate compensatory education services for the loss of educational opportunity caused by the failure to provide the Student with math SDI minutes as listed in their IEP. If the parties are unable to reach an agreement on the compensatory education to be offered to the Student, either party can request that the determination be made by the Department.	A written plan for delivery of compensatory education developed at a meeting with the Parent. Evidence showing that compensatory services were provided.	May 1, 2026 October 30, 2026
2. The District will develop and conduct training for all Middle School staff responsible for implementing IEPs on their responsibility to provide educational services to special education students in accordance with their IEPs.	Training agenda and materials to ODE for review and approval. Sign-in sheet from training.	May 1, 2026 October 30, 2026

Dated: this 31 Day of March 2026



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Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: March 31, 2026

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).)