BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Northwest Regional Education Service District	))))	FINDINGS OF FACT, CONCLUSIONS, AND FINAL ORDER Case No. 26-054-019

I. BACKGROUND

On February 9, 2026, the Oregon Department of Education (Department) received a Letter of Complaint (Complaint) from an employee (Complainant) of the Northwest Regional Education Service District (District). The Complainant 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 Complainant 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 February 18, 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 March 4, 2026.

The District submitted a *Response* on March 4, 2026, denying the allegations, providing an explanation, and submitting documents supporting the District's position. The District submitted the following relevant items:

1. District's Written *Response* to Complaint, 03/04/26
2. Emails between the parties, 05/07/25 - 02/09/26
3. SPREADSHEET: Copy of Child Find Outreach Tracking, no date
4. SPREADSHEET: Copy of Outreach Mailer Tracking, no date
5. ecWeb Access Updates, no date
6. FERPA & Student Privacy in Early Childhood Programs Slides, no date
7. EI/ECSE Leadership Meetings, 03/31/25
8. Weekly Updates, 07/08/25
9. Weekly Updates, 05/27/25
10. Role-Based Access Changes Timeline, 03/31/25-02/09/26

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

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

11. Weekly Meeting Notes, 09/15/25
12. EI/ECSE Leadership Meeting Notes, 09/08/25
13. ecData Overview, 05/31/10

The District submitted student materials on March 4, 2026 and April 15, 2026. Items 1 - 3 were used to randomly select students, whose information was transferred to the "working spreadsheet" for Evaluation Process, Children Served, and Referral Outcomes:

1. SPREADSHEET: Copy of Children in the Eval Process between 07/01/25 to 02/09/26
    a. Student CE, Prior Notice About Evaluation/Consent for Evaluation, 10/21/25
    b. Student LE, Prior Notice About Evaluation/Consent for Evaluation, 01/20/26
    c. Student QE, Prior Notice About Evaluation/Consent for Evaluation, 12/04/25
    d. Student MME, Prior Notice About Evaluation/Consent for Evaluation, 12/17/25
    e. Student PPE, Prior Notice About Evaluation/Consent for Evaluation, 12/30/25
2. SPREADSHEET: Copy of Children Served Between 07/01/25 to 02/09/26
    a. Student MS, Individualized Family Service Plan (IFSP), 02/25/25
    b. Student NS, Individualized Family Service Plan (IFSP), 04/14/25
    c. Student QS, Individualized Family Service Plan (IFSP), 04/18/25
    d. Student VS, Service Log, 02/13/25-06/04/25
    e. Student CCS, Individualized Family Service Plan (IFSP), 03/17/25
    f. Student DDS, Consent for Mutual Exchange of Information, 03/18/25
    g. Student WWS, Child Progress Report, 06/02/25
    h. Student WWS, Service Log, 02/18/25-06/10/25
    i. Student YYS, Child Progress Report, 04/11/25
    j. Student LLLS, Child Progress Report, 05/07/25
3. SPREADSHEET: Referrals Outcomes

The Complainant submitted a *Reply* on March 20, 2026, providing documents in support of the Complainant's position. The Complainant submitted the following relevant items:

1. Emails between the parties, 08/27/25 - 02/07/26
2. Staff Concern, 01/28/25
3. Staff Concern, no date
4. Staff Concern, 07/08/25
5. Compiled Staff Concerns, no date
6. ecWeb Meeting Minutes, 02/03/26

The Complaint Investigator interviewed the Complainant on June 24, 2026. From June 24 to July 7, 2026, the Complaint Investigator interviewed and received written responses from District personnel. 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 Complainant'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 February 10, 2025, to the filing of this Complaint on February 9, 2026.

Allegations	Conclusions
Accessibility of Individualized Family Service Plans (IFSP) The Complaint alleged that individualized family service plan (IFSP) service providers did not have access to ecWeb special education records of students enrolled in the special education programs operated by the District. (OAR 581-015-2830(3); 34 CFR § 303.344(g))*	**Not Substantiated** The District ensured IFSP service providers had necessary access to ecWeb special education records of students enrolled in the special education programs operated by the District.
When IFSPs Must Be in Effect The Complaint alleged the lack of access to special education records for the IDEA eligible students enrolled in special education programs operated by the District resulted in service providers failing to implement IFSPs as written. (OAR 581-015-2830(1), ORS 343.521; 34 CFR § 300.323, 34 CFR §303.346)*	**Not Substantiated** The District ensured necessary access to special education records for the IDEA eligible students enrolled in special education programs operated by the District. Additionally, IFSPs were implemented as written.
Child Find The Complaint alleged the agency-imposed restrictions on educator access to student special education records directly undermined Child Find obligations by leaving providers unable to see any necessary information once the referral was submitted, which directly contributed to fewer children being identified, referred, evaluated, and found eligible. (OAR 581-015-2080, ORS 343.475; 34 CFR §§ 300.111, 303.302 (a-b)(c)(1), 303.303)*	**Not Substantiated** The District ensured necessary access to student records and met its Child Find obligations.
Procedural Safeguards The Complaint alleged that the barriers to the student special education records restrictions resulted in an increased risk of noncompliance with the IDEA timelines and procedural safeguards.	**Not Substantiated** The District ensured that records were accessible and maintained compliance with the

Allegations	Conclusions
(OAR 581-015-2315, OAR 581-015-2745; 34 CFR § 300.500, 34 CFR § 303.400)	IDEA timelines and procedural safeguards.
Free Appropriate Public Education (FAPE) The Complaint alleged the legally required procedural duties under the IDEA were not being completed, which led to delayed evaluations, inadequate preparation for meetings, and compromised service coordination, which resulted in a denial of a FAPE for students enrolled in the District programs. (OAR 581-015-2040; 34 CFR § 300.101)	**Not Substantiated** The District ensured the provision of a FAPE for enrolled students.

*Applicable rules and regulations were adjusted once the investigation began and it was determined only IFSPs were under review.

REQUESTED CORRECTIVE ACTION
● "Enforce that all [student special education records access] restrictions be eliminated at [the District] for all licensed providers that work within [Early Intervention] EI and [Early Childhood Special Education] ECSE across all four counties." ● "A written finding by the [Department] as to whether the systemic restrictions implemented by [the Early Learning Executive Director] were retaliatory in nature following two substantiated IDEA complaints, and an ordered plan of action to remedy and prevent such conduct."

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 February 10, 2025. 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. "ecWeb" is an integrated database student information system (SIS) used by Oregon Early Intervention/Early Childhood Special Education (EI/ECSE) agencies to track child information and assist with forms processing.

2. In an undated email to the Complainant, an anonymous licensed early childhood educator outlined their challenges with changes in ecWeb access. They noted they had a student transition to District 3 Early Childhood Center (ECC) and they could no longer input old service logs. They also indicated they had a site transfer for a student in July of 2025 in which both the sending and receiving providers could see the file, which helped them plan the transition.

"When we met last week, the [District 4 ECC] provider can no longer access this child to complete the [individualized family service plan] IFSP revision and busing needed for the fall placement, which I now have to complete." They added they had two students transferring to their area and they could not do "any initial anything to see who should take them, get contact info, or look into their files" because of their limited access to ecWeb.

3. In an undated document, an anonymous licensed early childhood educator outlined the challenges with changes in ecWeb access. They have maintained access but cited their colleagues' challenges. In two site-to-site transitions, "the sending team all lost their access to the student they were transitioning to my caseload. … One of the site-to-site transition students needed to have updated progress notes. When I requested updated progress, the sending Service Coordinator no longer had access to that student's files." They added, "A Community preschool teacher was talking to my [Speech Language Pathologist] SLP and mentioned that a parent had mentioned their student being evaluated for our services, so, once again, my SLP attempted to look the student up in [ecWeb] and was denied access."

4. In an undated email to the District 3 Early Learning Center Principal and an unknown recipient, an anonymous licensed early childhood educator outlined their challenges with changes in ecWeb access. "There are four children who have been taken off my caseload in ecWeb that I am on their IFSPs. Three of them were removed on Friday, [September 12, 2025], and one more was removed between the afternoon on [September 12, 2025] and this morning [September 15, 2025]. I did not receive any message in [ecWeb] that they were removed from my caseload[,] even though it is marked in my settings to notify me when changes to my caseload occur." Names of the Students were provided.

5. In an undated email, an anonymous licensed early childhood educator outlined their challenges with the changes in ecWeb access. "I was trying to do a chart review for a kid that I was invited to a revision meeting for this coming Monday. I don't know if I know the kid, there was no name on the calendar invite, just the student ID number. So, I went to [ecWeb] to look them up and I got a message stating 'No results found.' … I still can't access this child's chart. So I feel like I am going in blind to this meeting."

6. In an undated email to the Complainant, an anonymous licensed early childhood educator outlined their challenges with the changes in ecWeb access. They indicated a student was transferring from a preK program in one district, to a Head Start program in another location. "I would like to be able to look at [the student's] file and review the contact log to see where this student is in the process of getting a placement change[,] but I cannot view this student at this time."

7. In an undated email, an anonymous licensed early childhood educator outlined their challenges with the changes in ecWeb access. They were unable to see any of a student's previous testing, their IFSP, their service levels, or documented concerns for a student moving into their service area. Additionally, they wrote, "While at a childcare for a kid on my caseload, they pointed out another kid who is in [the] process to be evaluated, they asked me to share

my observation with the evaluators beforehand. But since they aren't assigned to my site yet[,] I couldn't find their file to find out who their evaluators were."

8. In an undated email reply to an email originally sent on July 8, 2025, a licensed early childhood educator stated, "Letting you all know that I have no visibility into this student so, I'm not sure what is needed of me as far as [their] services go."

9. In an undated email to the Complainant, an anonymous licensed early childhood educator outlined their challenges with the changes in ecWeb access. "Yesterday I didn't have access to students I was receiving on [ecWeb] who were not yet on my caseload, and it prevented me from being able to look up the information about them before the meeting that was scheduled."

10. In an undated document, an anonymous licensed early childhood educator outlined their colleague's challenges with the changes in ecWeb access. Their colleague was unable to see any of their students from three sites. "Therefore, [they] had to take over our admin assistant's computer in order to look up these kids and ensure [they] know [their] service level times."

11. In an undated document, an anonymous licensed early childhood educator outlined their colleague's challenges with the changes in ecWeb access. They mentioned mentoring an Occupational Therapist (OT) at a different location and not being able to access their mentee's caseload. "This has been especially impactful as they are trying to prep[are] for an IFSP meeting coming up soon and the mentor is unable to do [their] job to help support [their] mentee in teaching [them] paperwork requirements and procedures."

12. In an undated communication to the Chief Human Resources (HR) Officer, the Executive Board outlined six concerns regarding ecWeb access. Relevant concerns to this investigation were:
    a. "Access to IFSPs. Educators cannot access IFSPs if the student has been moved to another site, if the staff member has changed sites, or if they are not listed as a direct service provider on the IFSP. This prevents effective collaboration and smooth transfer of services between providers."
    b. "Missing Students. As teams review and coordinate caseloads, service providers are finding that some students are missing from their records. Providers cannot know if they have "invisible" students, raising concerns about missed services."
    c. "[Free Appropriate Public Education] FAPE at Risk: If students are not properly transferred or assigned, IFSPs may not be implemented. This constitutes non-compliance with [the] IDEA and places children's rights to a FAPE at risk."
    d. "Liability and Accountability: Providers are unclear about who is responsible for adding/changing provider assignments in ecWeb and how errors are prevented or corrected. Providers fear being held liable if students are missed, but the accountability process has not been clarified."

13. In an undated District Family Educational Rights and Privacy Act (FERPA) training document, the following directions were listed:
    a. "If you can't access a file you need, go to your supervisor."
    b. "If you're concerned a child isn't receiving IFSP services, bring concerns to your supervisor."
    c. "If you're unsure, ask before acting."
    d. "Protecting privacy ensures both compliance and quality of services."

14. An undated District document outlined the following relevant information regarding ecWeb:
    a. All County 1 providers would be given access to all children in their assigned center(s).
    b. Staff in County 2, County 3, and County 4 would be given access to all children in their assigned county.
    c. County 1 Head Start providers would be given access to the county.
    d. Evaluation team members would be given access to the county where they were assigned or serving.
    e. When a child was referred to the evaluation team and attended a District-run preschool or Head Start program, the intake team would enter the assigned center into ecWeb according to the resident school district, and staff assigned to that center would be able to view the child's information.
    f. When a child was referred to the evaluation team and attended a community-run preschool or daycare, the intake team would enter the assigned center into ecWeb if a signed FERPA release authorizing communication with the preschool or daycare was included in the referral. If there was no FERPA release, community providers needed to call a specific number for information, and District staff were not permitted to share details regarding the process.
    g. When a child moved in from out of state or county, the evaluation team administrative assistant would send notification to the site, add the center, and add the child to the "new kid" list within 24 hours.
    h. When a child moved from one site to another, the service provider was responsible for completing a Google form, and the receiving administrative assistant would look for specific paperwork to help them decide when to change the center to reflect the transfer.
    i. When a child moved near a scheduled meeting (annual, 6-month, or EI to ECSE transition), the sending team was authorized to proceed with the meeting as planned using the following protocol:
        i. Pre-meeting coordination: The receiving site's administrative assistant printed the child's recent records for the site supervisor, who then assigned a representative to attend the meeting with those files.
        ii. Paperwork processing: The sending service coordinator finalized the documentation and alerted their site distributor, who would review and process the paperwork within 24 hours.
        iii. Site transfer: Upon notification of completion, the receiving site updated the student's center information and added them to the "new kid" list.
        iv. Timeline: The entire process was expected to be completed within 10 working days of the meeting to minimize any disruptions to the child's services.

v. Pending move exception: For EI-to-ECSE transitions with a pending move, the sending team only completed the child's eligibility, leaving the receiving team to finish the initial ECSE IFSP within 30 calendar days after the site-to-site transfer occurred.

j. For site-to-site transfers, site coordinators were responsible for submitting a student records update to change the class designation, and the administrative assistant had a 24-hour window to input the updated information into ecWeb.

k. To eliminate tracking gaps for siblings, the intake team would automatically add the designated center to the incoming sibling's file at the same time they linked the sibling records together.

l. For internal cross-county services:
   i. Initial assignment: When a child residing in County 2 or County 1 was served by a non-resident county, the resident county would maintain a staff member listed as an "other" provider before routing the file to the serving county.
   ii. Transition to kindergarten (TK) notification: During the student's TK year, the serving county Site Coordinator (SC) would notify their site supervisor, who would then alert the resident county supervisor so a resident staff member could be assigned as "other" if they were not already listed.
   iii. Meeting coordination: The serving county SC would collaborate directly with the resident county SC to ensure the appropriate school district representative was invited to all IFSP meetings.
   iv. "At-A-Glance" TK meetings: The resident county administrative assistant would compile a comprehensive data package consisting of the current IFSP, progress and evaluation reports, eligibility data, and six months of composite logs for their administrator prior to the meeting. The resident administrator would then invite the serving site coordinator to the meeting to update the school district on the child's specific needs.

m. If a mentor and mentee were stationed at different sites or counties, the mentor coordinator would notify Systems Performance Review and Improvement (SPRI) Distribution Manager 1 as soon as the new pairing was established. SPRI Distribution Manager 1 would grant the mentor access to the mentee's specific site so they could review necessary files during the active training period. The cross-site access for the mentor would be automatically deactivated at spring break.

15. March 31, 2025 EI/ECSE Leadership Meeting notes included a discussion about ecWeb provider access and settings. The discussion centered on establishing FERPA "guardrails" within ecWeb by leaning toward building-level access, ensuring administrators retained full system access while regional providers maintained necessary cross-county visibility. A priority was adjusting policies during Head Start transitions so that both sending and receiving sites could view student files simultaneously, and training staff on new compliance expectations. However, the leadership team highlighted unintended consequences to this approach, specifically slower file review times and an increased workload for administrative assistants tasked with processing provider changes. Moving forward, the agency needed to find a way to update ecWeb permissions and manage change requests efficiently.

16. Between May 7 and June 2, 2025, emails were exchanged between the ecWeb Project Manager, SPRI Distribution Manager 1, and SPRI Distribution Manager 2 regarding ecWeb access settings for staff.
    a. May 7, 2025: SPRI Distribution Manager 2 emailed the ecWeb Project Manager, "Per your suggestion and our leadership wanting to make sure access is limited in [ecWeb] we will be changing staff's access to files this summer. The following were questions posed by SPRI Distribution Manager 2 and answered by the ecWeb Project Manager on May 8, 2025:
        i. Question: "If we want to limit staff's access in the user settings restricted by center, could a staff member see a file of a child not at their center, but they are an active provider for the child? We have some staff that serve children in multiple centers."
            (1) Answer: "No, it will restrict the user to seeing only children that are assigned to the Centers you add to the user's account."
        ii. Question: "Is there a way to add the limitations in user account settings in mass rather than individually?"
            (1) "There is not."
    b. May 19, 2025: SPRI Distribution Manager 2 asked ecWeb Project Manager a follow-up question: "Could we limit access by 'Center' and 'Site'? If so, would one override the other? Trying to come up with a way to address staff who service children at multiple centers/sites."
    c. May 29, 2025: ecWeb Project Manager replied to SPRI Distribution Manager 2 asking for an example of what they were trying to accomplish. ecWeb Project Manager said, "For example, a provider who you are trying to restrict access for and what difficulties you are having. That is, child records they can/can't access where it should be different. We may not have the functionality you need."
    d. June 2, 2025: ecWeb Project Manager emailed SPRI Distribution Manager 2 and SPRI Distribution Manager 1 and said, "Bad news. The restrictions work as 'and' statements, which means that if you set someone up with [one center] AND [another center], the system will restrict that user to viewing child records where they meet both those criteria … . That would likely allow them to view zero records. This approach is by design, but we do come across situations where it would be helpful to allow 'OR' instead. The settings within each restriction act as 'or' statements, so if you set multiple Centers, it will look for records that fall in one center *or* the other. I know that was too open-ended for your purposes."

17. A May 27, 2025 EI/ECSE program update posted by the Senior Administrative Support, included a description of ecWeb changes: To ensure FERPA compliance and better align with statewide privacy standards, ecWeb access permissions were being updated so Service Coordinators would only be able to view student records within their assigned sites. This would be a gradual transition with no firm start date, while individual user permissions were manually updated, and the team was asked to be patient regarding any temporary operational challenges during the rollout. Because supervisors would retain broader system access, staff were to contact them directly if they had a legitimate need to view a student record outside of their assigned location. According to a District timeline related to ecWeb

events, May 27, 2025 was the first notification to staff of changes. Other relevant timeline entries included:

a. July 8, 2025 EI/ECSE program update (second staff notification): "In order to align with FERPA privacy rules, ecWeb access has undergone some changes that should not affect most staff members. However, please review your caselist closely to ensure that all students that you are serve [*sic*] are visible to you in ecWeb. If you find that some student(s) are missing, please notify your supervisor and they will assist you in getting the access that you need. There will be more training regarding FERPA requirements coming later this fall."
b. July 28 and 29, 2025: SPRI Distribution Manager 1 started implementing site-level access parameters in ecWeb.
c. August 29 through September 9, 2025: Four meetings with different groups, including District and Licensed Union leadership, were held to discuss ecWeb concerns.
d. September 12, 2025: Staff in County 1 were given county-level access to students.
e. October 13, 2025: FERPA training was provided to staff asynchronously.
f. October 17 through November 21, 2025: The Early Learning Executive Director and SPRI Distribution Manager 1 worked to troubleshoot ecWeb access issues and concerns.
g. February 3, 2026: The Early Learning Executive Director and the Chief HR Officer met with the Licensed Union regarding the District's intention to restore "role-specific" access in County 1.

18. On August 1, 2025, the Complainant emailed the Early Intervention Coordinator to say they had reached out to colleagues at other regional districts about ecWeb access and FERPA guidelines. They said, "I've learned that none of these neighboring agencies have adopted similar practices. This raises questions about the necessity and rationale for this shift, particularly given that cross-site access has been a long[-]standing and essential part of our work. In our EI/ECSE program, students frequently move between sites, and some families live outside their school district of service. Given this, I believe it is reasonable to assert that all EI/ECSE staff have a 'legitimate educational interest' in accessing student records across sites. Restricting this access not only creates unnecessary barriers to service delivery, but also impedes the timely and effective sharing of critical educational information between providers."

19. On August 18, 2025, the ecWeb Project Manager emailed SPRI Distribution Manager 1: "We have updated the 'Provider' option for user record access restrictions. As we discussed before, selecting this option in the past would restrict a user to seeing records where they are assigned to a child as a provider, but it included inactive assignments. Now you can specifically select 'Provider/Active' so that the provider will only see records where they are the active provider."

20. In an August 27, 2025 email to Licensed Union Co-president/Early Childhood Education (ECE) Specialist 1, an anonymous early childhood educator explained they had a student doing a site transfer and they could not access their records to lead the transition meeting, nor could they access the log contact notes and communication with the parent. They also had a

student going to another program and could not see what program they went to so they could connect with that OT.

21. In an August 28, 2025 email to the Early Intervention Coordinator, the Complainant outlined their concerns about how their own child's services were impacted by the change in ecWeb access. "My [child's] speech therapist contacted me and asked me if I revoked services and if I "fired [them]" because [they] did not understand why [they] could not access [my child's] file. This was not only distressing to me, but also to [them]. My [child's] file was not accurately reflected in ecWeb so [they were] a [District 4] ECC student." They added their concern that students would be "missed on provider's caseloads with these changes." They also noted they were told by coworkers if a child was moving between sites, then only one provider at a time, from each site, could access their file. "This impacts their ability to receive critical educational information in a timely and effective manner, while also placing more work on admin assistants to change between sites."
    a. On September 2, 2025, the Early Intervention Coordinator responded to the Complainant to apologize for "any stress or confusion" caused by recent communication regarding their child's file access. They said, "That is never the experience we want for you. We recently put new safeguards in place to ensure student privacy, and unfortunately, [the child's] service coordinator temporarily lost access to [the child's] file. I encourage you to follow up directly with the program coordinator at [District 4] ECC so they can support you and ensure things are moving smoothly for [the child's] services."

22. On August 28, 2025, SLP 1 emailed the Complainant about impacts they experienced related to ecWeb restrictions. SLP 1 shared that during a preschool collaboration meeting, a teacher asked them to look up five students listed on a class roster as "inactive." Checking these files was a legitimate educational interest aimed at verifying eligibility and Child Find efforts to ensure the students received timely classroom support. SLP 1 spent 20 minutes unsuccessfully searching for the students by ID number and various name combinations, unaware that system restrictions had been put in place. The unexpected system block resulted in a waste of time for SLP 1 and the preschool teacher and caused embarrassment and a concern about appearing "ineffective." SLP 1 said they had not been notified of the changes and explicitly stated they required unrestricted access to ecWeb in order to perform their job duties.

23. On August 29, 2025, Licensed Union Co-president/ECE Specialist 1 emailed the Chief HR Officer and the Director to request a meeting to discuss "the impacts that the ecWeb restrictions have had on licensed staff and their working conditions." Licensed Union Co-president/ECE Specialist 1 said they had received "multiple" emails from licensed staff with "urgent" concerns and wanted resolution "as soon as possible in a collaborative manner." The Chief HR Officer replied via email the same day and asked Licensed Union Co-president/ECE Specialist 1 to forward the staff emails so the Chief HR Officer could understand the urgent concerns. Licensed Union Co-president/ECE Specialist 1 responded that there were "too many emails to forward" and offered a "synopsis" of concerns:

a. Restricted access and collaboration: Providers lost access to a student's IFSP if the student or staff member changed sites, or if the provider was not explicitly listed on the file. This blocked collaboration during transitions.
b. Missing students: System restrictions caused students to disappear from staff caseload reviews.
c. FAPE and liability risks: Untransferred students risked missing services, leading to unimplemented IFSPs, FAPE violations, and perceived liability.
d. Operational confusion: There was widespread lack of clarity regarding what specific access was restricted and who was responsible for updating provider assignments.
e. Staff anxiety: Providers feared disciplinary action and personal liability for "invisible" students they had no way of knowing were missing from their caseloads.

24. Also on August 29, 2025, Licensed Union Leadership/SLP 5 emailed the Chief HR Officer firsthand feedback regarding an "unintentional consequence" of recent ecWeb system changes, which restricted staff from viewing any students unless they were explicitly listed as their provider or directly attached to a student's ecWeb profile. Licensed Union Leadership/SLP 5 shared an example of how they were supposed to take over another SLP's caseload, who transferred to another region, but Licensed Union Leadership/SLP 5 could not view the students, and that SLP had also lost access to the students because they transferred regions, thereby leaving a caseload of students temporarily inaccessible to both providers. Licensed Union Leadership/SLP 5 explained the restrictions had created an "ecWeb black hole," meaning some students were unaccounted for in the system. Licensed Union Leadership/SLP 5 shared that their small team could "figure it out," but feared larger teams could miss students, potentially resulting in a failure to deliver required services.

25. Between September 3 and September 5, 2025, District staff addressed complications arising from ecWeb access restrictions, beginning with communications from Licensed Union Co-president/ECE Specialist 1 regarding the negative impacts of these limitations on classified employees. At the service delivery level, staff members navigated a simultaneous file-access conflict involving a transitioning student, where the current provider in one region and a transition representative in another region could not both view the records needed to collaborate on required evaluations and IFSP preparation. SPRI Distribution Manager 1 offered immediate site-access workarounds for the case and highlighted a potential systematic solution, which would adjust system settings to grant record visibility to multiple staff members simultaneously as long as they were explicitly listed as active providers on the student's profile.
    a. On September 3, 2025, the Chief HR Officer emailed Licensed Union Co-president/ECE Specialist 1 and Licensed Union Leadership/SLP 5 and said, "I want to acknowledge the importance of ensuring staff have the access they need to do their work effectively and in compliance with FERPA. The good news is that some of what you were requesting is actually access that was already available." They outlined the following:
        i. Access in service centers: "All staff assigned to a service center in [County 4], [County 3], and [County 2] counties already have access to all students in that county."
        ii. Evaluation team: "The [evaluation team] has access to all students in [ecWeb]."
        iii. County 1: "Providers have access to the students at the sites where they serve."

iv. Communication: “Instructions regarding this process were shared in the weekly update to staff. Those updates were provided, with rationale for the change, on May 27 and July 8, [2025].”
v. The only scenarios that required workflow adjustments were student moves and cross-county students. “In these cases, access can be provided quickly by supervisors upon request, and administrative assistants will be sharing additional records with transfers or move-ins.”

b. Later on September 3, 2025, Licensed Union Leadership/SLP 5 replied, “I am thinking there must have been something odd going on with ecWeb last week, perhaps due to an update, because we’ve never had that level of difficulty. It all seems back to normal this week.” Licensed Union Co-president/ECE Specialist 1 also replied clarifying that providers experiencing ecWeb access issues for students they were scheduled to serve should contact their supervisor or administrative assistant for assistance. To resolve site-to-site transfer gaps, Licensed Union Co-president/ECE Specialist 1 suggested administrative assistants add the new provider without immediately removing the previous one until all pending IFSP paperwork was completed. This recommendation stemmed from ongoing issues at one site, where incoming providers still lacked system access to future students on their caseloads.

26. On September 5, 2025, SLP 2 emailed the Complainant outlining two issues they were having with ecWeb permissions being limited to the site. First, a student coming from a Head Start provider was scheduled to start at a District preschool, and SLP 2 needed to review the student’s file and contact log to verify the status of their placement change but was blocked from viewing the record. Second, SLP 2 said they supported schools with students in the active referral process. Despite having signed mutual exchange agreements on file to share information, SLP 2 could not access the files to provide the status updates the schools were requesting.

27. On September 5, 2025, SLP 3 emailed the Complainant to explain how ecWeb access restrictions disrupted coordination with Head Start programs by blocking them from proactively looking up at-risk children to check for past referrals or active services, a practice that previously helped identify students whose parents had failed to notify the school or SCs. These system limitations caused communication delays, as demonstrated when a family advocate incorrectly claimed a child qualified for services or when a community partner attempted to initiate a re-referral. In all of these instances, SLP 3 was blocked from directly reviewing essential background data, such as test scores, contact logs, and parent notes, forcing them to repeatedly rely on a supervisor for manual lookups instead of providing immediate, well-informed responses to community partners. SLP 3 added it was “[m]ostly because ROI’s are involved in this.” The Complainant agreed and added that in the Procedural Safeguards regarding FERPA, it was related to “outside” agencies, not within their own agency.

28. Between September 5 and 8, 2025, emails were exchanged between the Early Learning Executive Director, the Coordinator, the County 4 Service Center Principal, and SPRI Distribution Manager 1 regarding ecWeb access.

a. September 5, 2025: The Early Learning Executive Director mentioned that receiving site staff temporarily lacked the necessary documentation to serve arriving students while they waited for the child's Center profile to be updated in the system. Additionally, the current cross-county student moves required evaluation and adjustment. There was also a need to ensure that sending providers completed and updated all student records in a timely manner before or during a transfer. The Early Learning Executive Director proposed forming a team to review the District's move-in and transition processes to figure out how to bridge the data-access gap, and requested feedback on whether forming the review team was the best path forward, or whether there were alternative solutions to ensure continuous service delivery.
b. September 5, 2025: SPRI Distribution Manager 1 asked if the Early Learning Executive Director had names of people who were having issues, because the situation they had heard about involved a box not being checked, which involved viewing documents from other agencies. SPRI Distribution Manager 1 stated that once the box was checked, staff could see documents. SPRI Distribution Manager 1 added, "Plus I found out that one of the admin[istrative] assistants went in and changed restrictions and I have no idea why that person is doing that. [They are] doing it wrong."
c. September 5, 2025: The County 4 Service Center Principal shared that staff were experiencing delays when trying to view ecWeb files for students who were in the middle of a transition. The County 4 Service Center Principal also stated administrative assistants and distributors needed to take a more central role in the workflow since they were the specific individuals responsible for granting system access. The County 4 Service Center Principal also recommended checking in directly with the distributors to review the current protocol and offered to meet to help organize a team to address the issues.
d. September 8, 2025: The Coordinator emailed the Early Learning Executive Director regarding the following concerns:
    i. Move-ins: "In the user settings, some providers didn't have the box 'show forms for other agencies' checked. SPRI Distribution Manager 1 is working on fixing this for all providers and this will solve these issues."
    ii. Cross-county: "We don't think there is an issue with cross[-]county if the process is followed."
    iii. Site-to-site: "The site[-]to[-]site transfers are a problem. However, if we impress upon service coordinators that paperwork needs to be completed before submitting the site[-]to[-]site transfer, there should not be a problem. We are aware of a number of files out there where this did not happen and there is a high level of frustration. We propose that for these cases, providers be given access to clean up their paperwork, but the access will be removed by [October 1, 2025]."

29. September 8, 2025 EI/ECSE Leadership Meeting Notes included information about ecWeb access. It was determined SPRI Distribution Manager 1 would be the only person to adjust ecWeb access. Administrators were to report issues but not fix them. Access expansions would be handled individually until October 1, 2025.

30. On September 8, 2025, the Complainant received an email from an OT colleague with an update regarding ongoing frustrations with ecWeb access restrictions. They explained that

because a transferring student was assigned to a new site, the sending team at another site was blocked from viewing or accessing the student's ecWeb records. Due to these system restrictions, the sending team could not access ecWeb data or input required service logs during a recent transfer meeting. To complete necessary paperwork, their supervisor suggested a manual workaround where an administrator temporarily switched the student's center assignment from the current to the sending site for a one-hour window, allowing the sending team to complete their logs before immediately reverting access back to the current site.

31. On September 10, 2025, SLP 3 emailed the Complainant an impact statement regarding ecWeb access issues. Due to ecWeb access restrictions, SLP 3 was blocked from viewing the file of a student's sibling, which contained background information regarding the family. According to SLP 3, if an evaluator had not manually looked up the sibling's file to share this context, SLP 3 would have prematurely closed the student's file after multiple unanswered contact attempts. The system lockout also prevented SLP 3 from checking the active referral status of the student's sibling. SLP 3 emphasized that these access limitations cut off helpful context, disrupted essential family connections, and increased the risk of students "getting lost" in the system.

32. On September 10, 2025, representatives from the Licensed Union emailed the Chief HR Officer a "formal record" of a discussion held on September 9, 2025 regarding ecWeb access. Relevant information included:
    a. The Chief HR Officer would meet with the Early Learning Executive Director and the Director of Early Learning no later than September 12, 2025 "to address the restrictions recently placed on [ecWeb] and to resolve the access issues and workload impacts these restrictions have caused for licensed staff."
    b. During the September 9, 2025 meeting, the Chief HR Officer "verbally agreed to provide a formal written response to the [Licensed Union's] request to restore full access to [ecWeb]" by no later than 4:00 p.m. on September 12, 2025.

33. Between September 10 and September 18, 2025, emails were exchanged between representatives of the Licensed Union and District staff, including the Chief HR Officer, regarding ecWeb changes and implications. Relevant information included:
    a. September 10, 2025: Representatives of the Licensed Union provided the aforementioned "synopsis" of concerns outlined in an August 29, 2025 email and requested the District "reinstate all ecWeb access (as it was prior to the changes)."
    b. September 11, 2025: The Chief HR Officer stated, "As an interim step, we are proposing to expand ecWeb access for [County 1] providers to address immediate concerns while we work on longer-term solutions. [County 1] staff will have county-level access. The staff in [County 2], [County 3], and [County 4] counties would continue to have county-level access, so no change would be needed to their permissions." They also suggested a "collaborative work group" to "review current processes and develop safeguards for student records that minimize impact to staff efficiency."
    c. September 18, 2025: The Chief HR Officer stated that while they understood the Licensed Union's position "favoring full access," the District did not commit to automatically

restoring full ecWeb access. They stated, "Staff are expected to follow training and policies to protect student information; however, the agency bears the primary legal responsibility for compliance with IDEA/FAPE and FERPA. Privacy obligations have become more and more prominent and [the District] has to ensure that access to education records occurs only when there is a legitimate educational interest. Access to student information that is overbroad can create compliance risks for [the District] and that is what we are trying to address." To better understand the specific challenges staff were experiencing, the Chief HR Officer asked for the following information:

i. "Which roles or positions are affected (e.g., SLP, mentor/coach)?"
ii. "Which cross-county pairings are affected (e.g., provider assigned to County A serving students in County B)?"
iii. "Volume estimate (number of staff impacted daily or weekly)."

34. Weekly meeting notes, dated September 15, 2025, from the Early Learning Executive Director, indicated the following relevant information:
    a. SPRI Distribution Manager 1 and the County 4 Service Center Principal attended.
    b. "Educators cannot access IFSPs if the student has been moved to another site, if the staff member has changed sites, or if they are not listed as a direct service provider on the IFSP. This prevents effective collaboration and smooth transfer of services between providers."
    c. "As teams review and coordinate caseloads, service providers are finding that some students are missing from their records. Providers cannot know if they have 'invisible' students, raising concerns about missed services."
    d. "Providers are unclear about who is responsible for adding/changing provider assignments in ecWeb and how errors are prevented or corrected."
    e. "Where are we setting up a meeting with everyone to go over the restricted [*sic*] in [ecWeb]? I have given everyone access back."

35. On October 23, 2025, a Licensed Union representative emailed the Chief HR Officer a "Summary of Agreements and Next Steps" document resulting from an October 17, 2025 meeting between the District HR department and the Licensed Union representatives. Relevant information included:
    a. Current access parameters: "Licensed staff will retain ecWeb access within their assigned home county. Mentors will maintain access to their mentees' caseloads to support supervision and compliance. Cross-county access will not be reinstated at this time."
    b. Written procedures for student transfers: "Administration will develop and provide a written procedure outlining the process for when a student moves from one county to another. The intent is to ensure timely access and avoid service disruptions. This document will identify responsible parties and expected timelines for reassigning or updating access."
    c. Workflow collaboration: "Administration and [the Licensed Union] will collaborate to identify workflow improvements for ecWeb use and service documentation. This will include an opportunity for licensed staff input on areas where workflow changes could improve efficiency and reduce duplication of effort."
    d. Clarifications: "Administration confirmed that no parent complaints or FERPA violations have been reported regarding ecWeb use. The rationale for maintaining current access

limits remains preventative, based on an administrative interpretation of FERPA compliance. Administration acknowledged that the impact of access changes on licensed staff's work processes was initially underestimated, and there is a shared intent to improve communication going forward."

36. Between October 23 and October 27, 2025, emails were exchanged between the Early Learning Executive Director, SPRI Distribution Manager 1, and the County 4 Service Center Principal regarding possible ecWeb workflow solutions.
    a. October 23, 2025: The Early Learning Executive Director shared that following a meeting with the Licensed Union to address ecWeb site-restriction challenges, the administration was developing a written workflow for site-to-site transfers that would serve as a guide for both union review and administrative assistants. The proposed solution suggested that when a move-in notification was received, the receiving site's administrative assistant would compile a standardized PDF or paper bundle of essential records, such as the student's current IFSP and evaluation report, and link to or attach it to a local tracking document, such as a Google Sheet. This workaround ensured that receiving teams could access vital student information and make informed assignment decisions during "new kids" meetings without needing expanded direct access to the ecWeb system.
    b. October 23, 2025: SPRI Distribution Manager 1 explained the current site-to-site transfer workflow immediately revoked a sending site's ecWeb access when an administrative assistant updated a child's center profile, creating operational hurdles for EI providers who still needed system visibility to complete progress reports or manage active ECSE transitions. To resolve this, SPRI Distribution Manager 1 noted that the Early Learning Executive Director's proposed idea could work by delaying the center change so the receiving site could gather paperwork first. Additionally, SPRI Distribution Manager 1 shared that the transfer workflow would soon transition from emails to a Google Form.
    c. October 23, 2025: The County 4 Service Center Principal agreed with the Early Learning Executive Director's solution, saying, "This sounds good to me. We can move forward on this and develop a workflow option for our move[-]in students and site[-]to[-]site transfer process. The Special Education 'bundle' of necessary information sounds like a solid system for sharing key documents efficiently."
    d. October 23, 2025: The Early Learning Executive Director acknowledged both problems may exist: Being able to view or access records when students moved in from out of District, and managing the situation when a student's center assignment changed but their paperwork was still pending. The Early Learning Executive Director directed SPRI Distribution Manager 1 to "go ahead and create processes for both," and any other issues they were made aware of during the earlier period of restriction.
    e. October 23, 2025: SPRI Distribution Manager 1 responded, "One thing that would fix a lot of problems is that the sending SC should not send the site[-]to[-]site transfer until their paperwork is complete."
    f. October 27, 2025: SPRI Distribution Manager 1 sent the Early Learning Executive Director a draft for the ecWeb restrictions procedures they had created. SPRI Distribution Manager 1 also noted that site administrators currently input a child's center immediately upon receiving an evaluation notification or site-to-site transfer. SPRI Distribution Manager 1 clarified that a user's inability to view documents from other agencies was

actually caused by an unchecked settings box ("Forms - Show archived forms from other agencies"), rather than the restrictions themselves, which blocked visibility of the child entirely. To address staff demands for instant system access, SPRI Distribution Manager 1 proposed establishing a standard 24-hour turnaround window for administrators to input data from daily spreadsheets, as entries typically occurred first thing in the morning. This ongoing draft would ultimately outline specific operational scenarios alongside the explicit steps expected of administrators.

37. On November 7, 2025, the ECSE Teacher emailed the Complainant to express their frustration regarding ongoing access restrictions within ecWeb, which hindered their ability to perform their duties as a community consultant and case manager. The ECSE Teacher noted that being blocked from student files disrupted their regular communication with District pre-kindergarten providers, causing professional strain by forcing them to constantly rely on their supervisor for manual lookups. According to the ECSE Teacher, these system limitations resulted in lost opportunities for student support, as they could no longer track active evaluations or prompt preschool teachers to re-engage hard-to-reach families before their referrals were closed out as inactive. Additionally, the restrictions blocked collaboration by preventing them from identifying assigned evaluators or entering classroom observations into a student's contact log to demonstrate educational impact. To eliminate these barriers and ensure eligible children received timely special education services, the ECSE Teacher requested providers be granted county-wide access to ecWeb files for all students currently navigating the evaluation process.
    a. On the same day, the Complainant responded to the ECSE Teacher and mentioned the Early Learning Executive Director made a workflow chart for staff's reference for any ecWeb access issues that occurred, and after reviewing it, the Complainant did not see any information pertaining to the ECSE Teacher's specific issue. The Complainant suggested if the community team continued to have this issue, it should be brought to the Early Learning Executive Director to get specific protocols.
    b. Later on November 7, 2025, the ECSE Teacher replied to the Complainant, "I agree. I am not seeing the situation of being able to see who is in the system to verify that the referral was received, whether the family has been contacted, and help problem solve if possible if they can't reach the family." The ECSE Teacher also referenced how it would be helpful to view students who had been marked inactive in the system so they could help with the referral or reactivation process. The ECSE Teacher stated, "This is much more easily/efficiently solved by the community provider than [through] multiple people in our agency needing to look."

38. Between November 7 and November 20, 2025, emails were exchanged between the Complainant, the Early Learning Executive Director, SPRI Distribution Manager 1, and the County 4 Service Center Principal regarding changes to the ecWeb system.
    a. November 7, 2025: The Complainant shared information from an anonymous staff member who cited "frustration" with ecWeb limitations that were preventing providers from tracking students during the referral and evaluation process. Their concerns included:

i. Community consultants could no longer look up whether a student's referral was received or track their progress, leaving them unable to answer weekly inquiries from community preschool teachers.
ii. Because staff could not view these student files, they had to repeatedly ask supervisors to look up records, which slowed down the process.
iii. Referred students were placed on "inactive" status when evaluation teams could not contact families. Staff could prevent this if they had system visibility to prompt preschool teachers to help reach out to parents.
iv. Providers were unable to see who the assigned evaluators were or add classroom observations to the student's contact log, which created a disconnect that hindered comprehensive evaluations.
v. The staff member requested a functional solution or protocol to grant staff system access to students undergoing evaluations so they could properly support teachers, connect with families, and ensure eligible children received special education services.

b. November 12, 2025: The Early Learning Executive Director responded they would connect with SPRI Distribution Manager 1 and try to find a solution.
c. November 12, 2025: SPRI Distribution Manager 1 replied to The Early Learning Executive Director and the County 4 Service Center Principal, "Have the intake team put the center when they are entering the child in [ecWeb]. As long as the center is there they can look them up." The Early Learning Executive Director agreed with the solution and said it was a practice change that could start immediately and would not have an impact once restrictions were imposed again. The Early Learning Executive Director also said, "Also, for right now that shouldn't be happening since all SCs have access to all kids in [County 1] right now."
    i. SPRI Distribution Manager 1 mentioned they talked to an unknown named person and was told the potential solution could be done for Head Start and District preschools, but not community preschools due to needing ROI signed by parents.
    ii. SPRI Distribution Manager 1 later emailed the Early Learning Executive Director and the County 4 Service Center Principal and said, "Omg they can't see any children in referral. Because I gave access by centers. Not county. Oh no. I just added the other two centers. Oops head start staff can see so it is district preschools they need access to. Oops do you want me to change access to county [*sic*]?" The Early Learning Executive Director responded, telling SPRI Distribution Manager 1 to wait until the team could get more information.
d. November 12, 2025: The Early Learning Executive Director emailed the Complainant to verify the events described in the first email had occurred before the restrictions, because the Early Learning Executive Director believed the current ecWeb settings enabled all SCs to see all of the students in their county, meaning they should have been able to provide updates to community partners. The Complainant responded that the issues occurred after the restrictions were enforced and shared possible causes and solutions based on their research. The Complainant explained that newly referred children undergoing evaluation were not assigned a "Center" in ecWeb. Therefore, because system permissions were tied to specific centers rather than geography, licensed staff were blocked from viewing files even if the child lived in their service county. The Complainant proposed directing the intake team to assign a prospective center based on service county

or reverting to the pre-restriction access model, opening up permissions so licensed providers could see the entire agency.

e. November 20, 2025: The Early Learning Executive Director emailed the Complainant an update on the upcoming changes to ecWeb access permissions:
    i. The administration planned to add center information at the time of referral so providers could view the necessary files.
        (1) This could be done for District-run preschools without a signed ROI.
        (2) For community preschools and child care settings, this information could not be added until an ROI was signed. Therefore, if a District provider was unable to see a child's record, they could provide feedback to the referring party to encourage the parent to sign a release form. The Early Learning Executive Director also mentioned they were working on a workflow to ensure parents were sent an ROI at the time of referral.

39. On November 20, 2025, the Complainant emailed the Early Learning Executive Director asking for clarification on the District's plan to return to more restrictive ecWeb access, potentially over winter break. The Complainant said, "As you know, access was initially limited due to administrative concerns related to FERPA. Following those conversations, we were informed that the restriction was ultimately tied to a workflow issue, and we collaborated with HR to address that while still maintaining appropriate FERPA safeguards. Once those issues were resolved, access was partially restored to support the essential work of developing and completing IFSPs. Given that sequence, we are unclear why a return to more restrictive access is now being considered. If FERPA concerns were addressed through the workflow solutions developed collaboratively, it is not apparent what new or ongoing issue would require reducing staff access again – particularly when ecWeb is the system required to complete mandated job duties."

40. On November 21, 2025, the Early Learning Executive Director emailed the County 4 Service Center Principal, and SPRI Distribution Manager 1 asking the team for help resolving a privacy/FERPA issue related to ecWeb system restrictions for County 1 providers. The goal was to solve the issue in order to re-enact the system restrictions over winter break without causing difficulties for community providers. The Early Learning Executive Director outlined the following in the email:
    a. Problem: When ecWeb was previously restricted, a privacy issue arose regarding community providers. While some simple process changes had already been documented, the workflow for children attending community preschools or daycares remained unresolved.
    b. Proposed idea: A workflow where center information could be updated in ecWeb as soon as an ROI was obtained, even if the child's evaluation had not happened yet. However, the Early Learning Executive Director acknowledged that changing the Intake process could be complicated.
    c. Supporting action: The Director of Early Learning was gathering a list of District-run preschools to give to the intake team to help address the same issue.
    d. Action required: Email recipients were asked to review the attached document, suggest a workflow/solution, or edit the document directly.

e. Target deadline: December 5, 2025

41. In a November 29, 2025 email to the Complainant, an anonymous licensed early childhood educator outlined their challenges with the changes in ecWeb access. “In the past, we were able to see what was going on, but now even though someone outside the [ECSE District] program can see the results of the evaluations, we cannot, even though these students are in classrooms we support.”

42. In a one-page document, dated January 28, 2026, there were three entries of testimonial information regarding ecWeb access. The ECSE Teacher stated they “can’t go in and find [students who are in referral] in [ecWeb] to explain where they are in the evaluation process to their teachers. … I continue to have it happen with many referrals still ongoing, as well as having teachers who have referred but they haven't gone through, and then I have no idea until a month or two later they ask about a referral they made, I can't see it, and it takes that much longer to get it going again after checking in with [the District 3 Early Learning Center Principal] about looking them up.” They also noted they have had students transferred to other service coordinators (specifically in Head Start), and they cannot go into [ecWeb] to see who they have now or who to contact.” Additionally, the ECSE Teacher wrote, “This month I had 3 families whose parents or teachers (who are not first[-]time referrers) whose referrals did not go through online.” They added that they could have had the students in evaluation sooner “if I could have helped streamline this process for them.”

43. February 3, 2026 ecWeb Meeting Minutes documented the Early Learning Executive Director, the Chief HR Officer, the Director, the Complainant, Licensed Union Co-president/ECE Specialists 1 and 2, Licensed Union Leadership/ECE Specialist 3, a state union representative, Licensed Union Leadership/SLP 5, SLP 6, and two unknown people in attendance. Relevant key discussion points were as follows:
    a. “ecWeb access restrictions have created unnecessary barriers, particularly related to accessibility, Child Find, and the evaluation process.”
    b. “Restrictions are limiting licensed staff’s ability to provide timely services to students and families.”
    c. “For referrals from community providers, the school district owns the referral.”
    d. “Private preschools do not have access to children who are in the referral stage.”
    e. “[The Early Learning Executive Director] shared that [they have] resolved access issues for students in [District 1] who were referred for evaluation.”

44. On February 6, 2026, the Early Learning Executive Director emailed the Chief HR Officer and the Chief Information Officer: “With regard to access of student records in ecWeb, it seems that the disagreement comes down to what constitutes ‘legitimate educational interest’ with regard to file access. According to the guide I have attached … it appears that we should have a definition of ‘legitimate educational interest,’ and then adjust staff access in ecWeb so that it aligns with the board policy. ODE said that the state is silent on this so that local agencies can decide what that means.”
    a. On February 7, 2026, the Chief Information Officer responded, “I have always wondered if FERPA applies to EI/ECSE. The law is very clear that it only applies to head start,

elementary, secondary, and post-secondary." They explained their understanding was if the EI/ECSE program was funded by federal money then FERPA applied, and if not, then FERPA did not apply and the District was "free to set whatever privacy standard [it wanted] for ecWeb." Additionally, the Chief Information Officer referenced District policy JO-AR for a definition of "legitimate educational interest."

b. On February 9, 2025, the Early Learning Executive Director clarified that FERPA did apply to the EI/ECSE program based on a grant agreement with the state. They believed the District's focus regarding ecWeb access was on the part of job descriptions related to records that said, "Maintain the integrity of confidential information relating to a student, family, colleague, or [District] patron, and use or relay confidential information only in the course of performing assigned responsibilities."
    i. The Early Learning Executive Director wrote, "Their assigned responsibilities do not require them to have access to the records of children assigned to different centers, and/or children who are not on their individual case loads. Due to limitations with the responsiveness of ecWeb, a reasonable level of access to ensure [the] smoothest workflow is to allow them access to the children assigned to their center. In the cases where they need additional or other access to serve a child not assigned to their center (but who is, for one reason or another, on their caseload), then we will grant them the appropriate level of access within 24 hours, to ensure they are able to complete their work in a timely manner." The Early Learning Executive Director also mentioned the County 1 providers were "the only group with access that [did] not currently comply with these parameters."

45. In a February 7, 2026 email to the Complainant, an anonymous licensed early childhood educator outlined their challenges with the changes in ecWeb access. "There have been three schools that I currently support with seven students that teachers have specifically asked me about that are in referral and that I could not access on ecWeb. These are children that I would serve if they were to be eligible." They noted they were directed to ask their office administrator to help access a file. They also indicated, "There have been children who do not qualify and I find out from the teachers or they are unaware. There have been other children made inactive due to the eval team not being able to locate parents and the teacher not knowing to then help contact the parents who want an evaluation."

46. In a February 7, 2026 email to the Complainant, the ECSE Teacher outlined their challenges with the changes in ecWeb access. "I used to be able to look students up to see if they had ever been referred to our program or had been made inactive, and/or if there were records indicating a referral had at least been received. This allowed me to communicate with community preschool teachers about any additional information that might be needed, if they could help encourage families to call our agency to follow up, and any other information that might be helpful for getting services for students. This year, I have been unable to see most of these students." They added there are students who are referred and the evaluation team could not reach them, so students end up going "inactive, and I maybe could have prevented that by having the preschool teacher reach out." They also noted they cannot see who evaluators are or add to contact logs, which "creates a disconnect that could be very helpful in showing educational impact."

47. On February 9, 2026, the Chief HR Officer sought clarification via email from the Oregon School Boards Association Attorney regarding the applicability of FERPA to the EI/ECSE program, and the exact definition of a "legitimate educational interest" to help resolve an ongoing dispute with the Licensed Union. The Chief HR Officer explained that prior to the 2025-26 school year, all EI/ECSE staff had wide-open, agency-wide access to student IFSP records on ecWeb across different regional locations. At the start of the 2025-26 school year, District administration restricted staff access to their specific assigned sites, which the Licensed Union challenged as a unilateral change in working conditions. In response to the pushback, the District temporarily expanded system permissions to a county-wide level while working to resolve local workflow issues. The Chief HR Officer noted, "I think the crux of the issue is how a 'legitimate educational interest' is defined."

48. On February 9, 2026, the Complainant filed this Complaint.

49. In their *Response*, dated March 4, 2026, the District outlined the following relevant information:
    a. "[The District] implemented role-based ecWeb access to better align with FERPA's requirement that staff access student records only when they have a legitimate educational interest. The EI/ECSE department announced changes and guidance in May 2025 and July 2025 in the Weekly Updates, the department's weekly newsletter, and instructed staff to check caselists and report missing students to supervisors immediately. Actual changes in ecWeb took place on July 29th [2025], just before the end of the summer session."
    b. "At the time the role-based access parameters were implemented (July 29, 2025), staff continued to have access to students on their caseloads and to students at their assigned sites. Smaller county program staff ([County 2], [County 3], [County 4]) retained county-level access due to program structure in those regions. For [County 1], staff were configured with site-level access consistent with the legitimate educational interest analysis. Head Start staff were given access to all students in [County 1], [e]valuation team members maintained full access for all four counties, site[-]specific staff were given access to the student records for the location where they were assigned, and mentors were given access to the site where their mentees were assigned to support paperwork training."
    c. "The department established a clear escalation/tracking protocol: staff were instructed to report issues to their supervisor; supervisors were instructed to route ecWeb access issues to the designated ecWeb administrator (SPRI Distribution Manager 1) for resolution; and leadership directed that only designated staff adjust ecWeb access to avoid inconsistent practice."
    d. "When placement changes and other workflow issues were identified in September 2025, the [D]istrict rolled back the role-based access for staff in [County 1] while a technical/troubleshooting team addressed back-end workflow issues. This county[-]level access for all providers was communicated as a temporary solution while troubleshooting occurred. The sum total of days that [County 1] staff were limited to site-only access was 13 days before county[-]level access was granted."

e. "[The District's] internal review found that when access was reported, it was corrected promptly. No record shows a provider waiting more than 24 hours for access to a child to which the provider was assigned."

50. A spreadsheet titled "Child Find Outreach Tracking," with dates spanning December 2024 through March 2026, indicated the District's child find outreach efforts included 13 contacts with pediatric establishments, 80 instances of materials being provided to clinics, 146 instances of materials being provided to preschools, and 15 events/resource fairs attended.

Student Material Overview

51. Student records were reviewed for 69 students who were eligible to receive special education services, 56 students who were in the evaluation process, and 6 students who experienced an outcome of a referral during the Complaint Investigation period. All students were representative of the four counties the District serves.

Allegation #1, Student Material Facts

52. Records for Students AE, BE, CE, DE, EE, FE, GE, JE, KE, LE, ME, NE, OE, PE, QE, RE, SE, TE, UE, VE, WE, XE, YE, ZE, BBE, CCE, DDE, EEE, FFE, GGE, HHE, IIE, JJE, KKE, LLE, MME, OOE, PPE, QQE, RRE, SSE, TTE, UUE, VVE, WWE, XXE, YYE, ZZE, AAAE, BBBE, CCCE, AS, BS, CS, DS, ES, FS, GS, HS, IS, TS, WS, XS, YS, ZS, AAS, BBS, CCS, DDS, US, VS, LLS, MMS, NNS, OOS, PPS, EES, FFS, RRRS, IIS, KKS, QQS, RRS, SSS, TTS, UUS, VVS, WWS, XXS, YYS, ZZS, HHHS, IIIS, JJJS, LS, MS, NS, OS, PS, QS, RS, SS, KKKS, LLLS, MMMS, NNNS, JS, KS, AAAS, BBBS, CCCS, DDDS, EEES, FFFS, GGGS, and PPPS did not reveal issues with service provider access to IFSPs.

53. Records for Students AE, IE, JE, BBE, OOE, IIIS, KKS, VVS, and PPPS were insufficient to determine if service provider access issues occurred.

54. Records for Students AR, BR, CR, DR, ER, and FR did not reveal any instances of service provider access problems within the evaluation process.

Allegation #2, Student Material Facts

55. Records for Students AS, CS, DS, ES, FS, GS, HS, IS, TS, WS, XS, YS, ZS, AAS, BBS, CCS, DDS, VS, LLS, MMS, NNS, OOS, PPS, EES, FFS, RRRS, IIS, KKS, QQS, RRS, SSS, TTS, UUS, VVS, WWS, XXS, YYS, ZZS, IIIS, MS, PS, QS, RS, SS, KKKS, LLLS, MMMS, KS, AAAS, BBBS, CCCS, DDDS, EEES, FFFS, GGGS, OOOS, and PPPS demonstrated their respective IFSPs were implemented as written.

56. Records for Students AS, CS, VS, IIS, KKS, IIIS, LS, MS, OS, PS, JS, and KS did not include the IFSP, but service logs indicated services were provided.

Allegation #3, Student Material Facts

57. Records for Students AE, CE, DE, EE, FE, GE, HE, IE, JE, LE, NE, OE, QE, RE, SE, UE, VE, WE, XE, YE, ZE, AAE, BBE, CCE, DDE, EEE, FFE, GGE, HHE, IIE, JJE, KKE, MME, PPE, QQE, RRE, SSE, TTE, UUE, VVE, XXE, YYE, ZZE, AAAE, BBBE, CCCE, and DDDE indicated relevant timelines were met for the time between the initial referral, and when consent was provided for evaluation.

58. Records for Students NE, UE, OOE, and XXE were insufficient to determine the time between the initial referral and when consent was provided for evaluation.

59. Student CE was referred on September 3, 2025 and consent for evaluation was received October 21, 2025.

60. Student MME was referred on November 3, 2025 and consent for evaluation was received December 17, 2025.

61. Student PPE was referred on November 5, 2025 and consent for evaluation was received December 30, 2025.

62. Students LE and QE did not meet evaluation timelines due to parents not being responsive to communication and requests.

Allegation #4, Student Material Facts

63. Records for Students AS, BS, CS, DS, ES, FS, GS, HS, IS, TS, WS, XS, YS, ZS, AAS, DDS, VS, LLS, MMS, NNS, OOS, PPS, EES, FFS, RRRS, IIS, KKS, QQS, RRS, SSS, UUS, VVS, WWS, XXS, ZZS, HHHS, IIIS, JJJS, LS, MS, NS, PS, QS, RS, SS, KKKS, LLLS, MMMS, NNNS, JS, KS, AAAS, BBBS, CCCS, EEES, FFFS, GGGS, OOOS, and PPPS revealed no issues with IDEA timelines being met.

64. Records for Students CCS, DDS, VS, IIIS, KKS, UUS, ZZS, PS, and EEES were insufficient to determine if there were issues with IDEA timelines being met.

65. Records for Students AS, BS, CS, DS, ES, FS, GS, HS, IS, TS, WS, XS, YS, ZS, AAS, BBS, CCS, DDS, US, LLS, MMS, NNS, OOS, PPS, EES, FFS, RRRS, HHS, IIS, JJS, KKS, QQS, RRS, SSS, TTS, UUS, VVS, WWS, XXS, YYS, ZZS, HHHS, IIIS, JJJS, LS, MS, NS, OS, PS, QS, RS, SS, KKKS, LLLS, MMMS, NNNS, JS, KS, AAAS, BBBS, CCCS, DDDS, EEES, FFFS, GGGS, OOOS, PPPS, and QQQS included letters to the parents, indicating they received a copy of the IFSP.

66. Records for Student VS did not include a letter to the parents indicating they received a copy of the IFSP.

67. Records for Students AS, BS, CS, DS, ES, FS, GS, HS, IS, TS, WS, XS, YS, ZS, AAS, BBS, CCS, DDS, VS, MMS, NNS, OOS, PPS, EES, FFS, RRRS, IIS, KKS, QQS, RRS, SSS, TTS, UUS, VVS, WWS, XXS, ZZS, HHHS, IIIS, JJJS, LS, MS, PS, QS, RS, SS, KKKS, LLLS, MMMS, JS, KS, AAAS, BBBS, CCCS, DDDS, EEES, FFFS, GGGS, OOOS, PPPS, and QQQS did not reveal issues with the parents' participation in the IFSP processes.

68. Records for Students VS, MMS, IIIS, KKS, ZZS, OS, PS, and JS were insufficient to determine whether there were issues with parent participation.

69. Records for Students AS, BS, CS, DS, ES, FS, GS, HS, IS, TS, WS, XS, YS, ZS, DDS, VS, MMS, NNS, OOS, EES, FFS, RRRS, IIS, RRS, SSS, UUS, VVS, XXS, ZZS, HHHS, IIIS, LS, MS, PS, QS, RS, SS, LLLS, MMMS, JS, KS, AAAS, BBBS, CCCS, DDDS, EEES, FFFS, GGGS, OOOS, and PPPS did not reveal issues with timely and thorough Notice of Meeting (NOM), Prior Written Notice (PWN), or consent.

70. Records for Students VS, MMS, IIIS, KKS, UUS, XXS, ZZS, LS, OS, PS, LLLS, and JS were insufficient to determine whether there were issues with timely and thorough NOM, PWN, or consent.

71. Records for Students BBS, EES, QQS, and RRS included a NOM dated the same day as the scheduled meeting.

72. Records for Student CCS included a NOM dated three days prior to the scheduled meeting. The records for Student DDS included a NOM dated six days prior to the scheduled meeting.

73. Records for Students AS, BS, CS, DS, ES, FS, GS, HS, IS, TS, WS, XS, YS, ZS, AAS, DDS, VS, MMS, NNS, OOS, PPS, EES, FFS, RRRS, IIS, KKS, QQS, RRS, SSS, TTS, UUS, VVS, WWS, XXS, YYS, ZZS, HHHS, IIIS, JJJS, LS, MS, NS, OS, PS, QS, RS, SS, KKKS, MMMS, JS, KS, AAAS, BBBS, CCCS, DDDS, EEES, FFFS, GGGS, OOOS, and PPPS did not reveal issues with the parents' informed consent for evaluation and/or services.

74. Records for Students AE, BE, CE, DE, EE, FE, GE, HE, IE, JE, KE, LE, NE, OE, PE, QE, RE, SE, UE, VE, WE, XE, YE, ZE, BBE, CCE, DDE, EEE, FFE, GGE, HHE, IIE, JJE, KKE, LLE, MME, OOE, PPE, QQE, RRE, SSE, TTE, UUE, VVE, WWE, XXE, YYE, ZZE, AAAE, BBBE, CCCE, and DDDE did not reveal issues with the parents' informed consent for evaluation and/or services.

75. Records for Students NE, UE, BBE, and OOE were insufficient to determine whether there were issues with the parents' informed consent for evaluation and/or services.

Allegation #5, Student Material Facts

76. Records for Students AS, BS, CS, DS, ES, FS, HS, IS, TS, WS, XS, YS, ZS, AAS, BBS, CCS, DDS, US, VS, LLS, MMS, NNS, OOS, EES, FFS, RRRS, HHS, IIS, JJS, KKS, SSS, TTS, UUS, WWS, ZZS, HHHS, IIIS, JJJS, NS, OS, QS, RS, SS, LLLS, MMMS, NNNS, JS, KS, AAAS, BBBS, CCCS, DDDS, EEES, FFFS, GGGS, OOOS, and PPPS indicated progress was made on all IFSP goals.

77. Records for Students QQQS, YS, CCS, PPS, QQS, XXS, HHHS, and CCCS did not include a progress report.

78. Students HS, EES, RRS, SSS, and ZZS all revealed one or more goals with insufficient progress, but cited inability to properly assess progress due to student attendance.

79. Student WWS was making sufficient progress toward their expressive communication goal, as documented on June 2, 2025. Student WWS was not making sufficient progress on their three social or emotional goals due to needing "more time," "continued and consistent practice," and "increased opportunities to develop these skills."

80. Student YYS was making sufficient progress toward their two expressive communication goals as of April 11, 2025. Student YYS was not making sufficient progress toward their two classroom routine goals as of the same date. Commentary provided was that Student YYS would be undergoing a functional behavior assessment (FBA) and additional support staff would be added to implement regulation strategies.

81. Student MS was making sufficient progress toward their two expressive communication goals and one social communication goal as of February 25, 2025. On the same date, it was noted Student MS was not making sufficient progress toward one social communication goal and the changes planned were to provide "both low tech and high tech" communication systems to help Student MS "find the words [they] want to say independently."

82. Student NS was making sufficient progress toward their receptive communication goal as of April 11, 2025. Student NS was not making sufficient progress toward their fine motor goal on April 14, 2025 and changes planned were to "provide adaptive/alternative resources to develop writing skills and functional grasp." Student NS was not making sufficient progress toward their adaptive goal on April 14, 2025 and changes planned were to "continue to monitor progress." Student NS was not making sufficient progress toward their expressive communication goal on April 14, 2025 and changes planned were to support with a communication device and "continue with modeling phrases and provide functional opportunities."

83. Student QS was not making sufficient progress toward both of their social or emotional goals as of April 17, 2025. Changes planned were provision of increased opportunities for Student QS to join peers in play and setting up expectations to participate in all classroom activities. Student QS was not making sufficient progress toward their expressive communication goal as of April 17, 2025. Changes planned were to "use levels of prompting to reduce the level of prompting needed to use [Student QS's] device."

84. Student LLLS was making sufficient progress toward their classroom routine goal as of May 7, 2025. Student LLLS was not making sufficient progress toward their expressive communication goal as of the same date. Changes planned were to create a new IFSP goal.

85. Records for Students AS, BS, CS, DS, ES, FS, GS, HS, IS, TS, WS, XS, YS, ZS, AAS, BBS, CCS, DDS, US, VS, LLS, MMS, NNS, OOS, PPS, EES, FFS, RRRS, HHS, IIS, JJS, KKS, QQS, RRS, SSS, TTS, UUS, WWS, XXS, YYS, ZZS, HHHS, IIIS, JJJS, LS, MS, NS, and OS either did not indicate service coordination was necessary, or did not reveal issues with service provider coordination or their preparedness for meetings.

86. Records for Student WWS included a service log entry from March 21, 2025 that indicated SLP 4 did not know where to access this student's FBA and behavior plan. It was noted to check in with the preschool to see if they had it and were following it.

Written Question Responses

87. In a response to written questions from the Complaint Investigator, SLP 4 described the following as it related to Student WWS:
    a. SLP 4 was responsible for providing 240 compensatory minutes for Student WWS from the 2023-24 school year. Due to Student WWS's absences, only 105 of those compensatory minutes were completed. According to SLP 4, the unfulfilled minutes were documented in an "Action Notice" dated March 10, 2025.
    b. SLP 4 indicated School Psychologist 1's confusion was related to an incident in which Student WWS communicated they wanted to go home and that was honored, which "may have appeared to conflict with the classroom goal of increasing participation with [Student WWS's] peers."
    c. SLP 4 indicated the EI/ECSE team did not have a written behavior plan for Student WWS from Preschool 1.

88. In a response to written questions from the Complaint Investigator, the Early Intervention Coordinator explained that, prior to ecWeb changes, any staff member with an ecWeb account could access the records of any child across counties and sites, which raised concerns that access exceeded what was necessary under FERPA. The Early Intervention Coordinator clarified that while staff may have a legitimate educational interest in a particular child's records when their job duties require it, "that does not mean all staff have a legitimate educational interest in all student records at all times." They indicated that although the previous unrestricted access made cross-site collaboration and handling transfer students more convenient, the revised process "balanced operational needs with student privacy requirements." The changes did not eliminate the ability to obtain records, but instead introduced an additional step to grant access based on a legitimate need, and this was a "safeguard for privacy." They indicated that ultimately, the adjustment did not prevent necessary collaboration or continuity of services, and staff access requests were typically resolved within an hour or less.

89. In response to written questions from the Complaint Investigator, the ECSE Teacher indicated they experienced an "abrupt limitation of students" they could search for in ecWeb, which ultimately restricted their view to only the students assigned to their specific work site. This change blocked them from viewing students who were in the evaluation process without requesting direct access, and then restricted access to children moving to other providers, which "limited my access to communicate with the family" and update IFSPs. As a community preschool consultant, they were also left "unable to see whether their referrals were received" or check class lists to see if students were on IFSPs. These restrictions resulted in "an extremely frustrating experience" where they had to ask their supervisor for information every time a teacher inquired, making it "impossible for me to ask a parent or caregiver to sign a mutual exchange on the fly." Finally, the lack of quick access prevented them from

efficiently helping evaluation teams gather documents and stopped them from facilitating communication before unreachable families went inactive.

90. In response to written questions from the Complaint Investigator, Licensed Union Co-president/Early Childhood Education Specialist (ECES) 1 explained in September 2025, "many of the students who were receiving their specially designed instruction [SDI] in site-based classrooms were moving to community-based sites," which required community preschool providers to have access to those students in ecWeb "in order to make placement changes." They cited a specific example of adding a provider to a student's provider page, and then in July 2025 when ecWeb restrictions were implemented, the provider could not access the student. Additionally, they cited an example of moving from being a community provider at one site to being a classroom teacher at another site and not having access to a student they were still serving as a community partner. They added, "I am unaware that any IDEA timeline issues occurred."

91. In response to written questions from the Complaint Investigator, SLP 6 noted they had concerns about the changes in employee access to ecWeb. They indicated changes in access were not the issue with a student referenced in their emails, rather, this was "representative of a complex family situation and a challenging set of paperwork corrections. It is not in any way a result of a child moving to a different county for services, or difficulty in gaining access to the child's file."

92. In response to a written question from the Complaint Investigator regarding Student VVS and a NOM dated the same as the day the meeting took place, Service Coordinator 2 explained "the family had a conversation with our interpreter per my request on 5/1/25," which was over the phone. The Parent arranged with the interpreter for the meeting to be on May 12, 2025.

Interviews

93. In an interview with the Complaint Investigator, the Complainant shared they served the District as an EI OT and as the Vice President-At-Large for the Licensed Union.

94. The Complainant recalled the Early Learning Executive Director posting an announcement via the Intranet in July 2026 regarding future ecWeb restrictions. The Complainant indicated communication regarding the upcoming changes was also distributed at staff meetings. According to the Complainant, the Early Learning Coordinator justified the ecWeb restrictions by stating they were necessary for FERPA compliance. The Early Learning Coordinator also noted the District was the last in the area to implement these measures.

95. The Complainant recalled the ecWeb restrictions occurring as staff returned from their August 2025 break, and in their role as representative of the Licensed Union, the Complainant began "getting inundated with emails from staff members saying the impact [of the restrictions]" on their jobs. The Complainant said they contacted the Early Learning Executive Director and the Human Resources Department and shared they had liability concerns and

the restrictions were "creating mass disruption to our services and how to access services," impacting "working conditions." The Complainant described the original restrictions allowed staff to view only students assigned to a specific location and described the following challenges:

a. Student Mobility:
    i. If a family moved between districts or a child attended preschool in a different district than where they lived, the location restrictions caused providers to completely lose visibility of a child in ecWeb once they crossed boundary lines.
b. Consultation with Community Preschools:
    i. "I referred an infant that was placed in [Department of Human Services] DHS custody into a resource home [where] I've been their OT for years. And so I helped support this resource parent refer this child. Well, I couldn't see where they were in the referral process, and the resource parent missed the phone calls from [the] eval[uation] team, and [the child] went inactive [in ecWeb]. So then they had to start the process all over again, whereas if I could have followed them and seen where they were, I could help support that."
        1. The Complainant explained they were not a provider for the infant because the infant had not been found eligible yet. They were trying to help refer the child, "And then I was no longer able to have visibility into the referral or evaluation process. Once I did have visibility by going to my admin[istrative] assistant, I was like, 'Oh, the resource parent missed the intake phone calls.' I emailed the eval[uation] team, and I said, 'You need to re-call this parent.'" The Complainant indicated the child became active "... because I was able to navigate the system, now [the student] is eligible, and I am [their] OT … ."

96. According to the Complainant, after "multiple meetings" and "multiple emails of raising concern," the District decided to restrict staff access to the county instead of the building. Additionally, the Complainant voiced concern indicating access was "not consistent across providers." The Complainant indicated it was common practice "amongst licensed providers" to have the classified staff they worked with access the information the licensed providers did not have access to.

97. The Complainant shared that at a labor bargaining meeting a staff member shared their concerns about their restricted access to ecWeb, "I am worried that it's impacting Child Find because I can't keep visibility on kids that are where they are in the referral process if I could support their evaluation in any way [*sic*]."

98. The Complainant described additional challenges with ecWeb restrictions:
    a. "I was assigned, in a team meeting, to a child with a pretty significant and impactful diagnosis … ." The child was being served in County 5 and the family moved to District 2. The Complainant was assigned as the service coordinator and said, "I needed to write an IFSP for this child because they were a county move-in and meet the family and I could not see any records of this child [*sic*]." The Complainant described they did not "have access and tools that I needed to have the information and the data" to discuss the

family's service priorities and goals. The Complainant said, "And I think having these barriers put in place really impacts the ability for us to have the proper knowledge, the proper tools so we feel prepared to go into a meeting."

b. When a child moved between counties, access limitations prevented both county teams from viewing the child's file simultaneously ahead of a transition meeting. An administrative assistant was required to manually grant access to one county at a time, which resulted in time delays and inefficiencies. The Complainant indicated the restricted access prevented the receiving county team from obtaining the necessary information to properly prepare for the transition meeting. The Complainant shared that the receiving county's actions depended on the sending county completing their part of the process.
c. A child moved, and a speech therapist missed a service log to bill for Medicaid. According to the Complainant, the speech therapist could not access the child's file to complete the Medicaid billing procedure due to the access restrictions.
d. The Complainant described a possible workaround for accessing files for a student moving from one county to another that involved utilizing an administrative assistant to toggle between counties several times and print documentation, but indicated the workaround added a "layer of complexity of communication and timelines to get access. … It just takes more steps to get there."

99. According to the Complainant, community preschools were impacted by the ecWeb access restrictions because their programs generated more referrals than other programs, and once students were referred to the evaluation team, some providers no longer had access; "They're completely blind to supporting that referral."

100. The Complainant indicated FERPA training was provided to staff but was not aware of training regarding ecWeb issues.

101. In an interview with the Complaint Investigator, the Chief HR Officer described that in May 2025, announcements were posted via the Intranet alerting staff to the upcoming ecWeb access changes. The Chief HR Officer described that prior to the restrictions, "any provider in early learning had full access to all student records in the ecWeb system." At the September 9, 2025 labor management meeting, the Licensed Union indicated the restricted access "was a change in working conditions." According to the Chief HR Officer, "There was increasing frustration from the Union because they just wanted things reverted back to … unfettered access for all staff members," and the topic of ecWeb access surfaced several times during labor management meetings that occurred bimonthly.

102. The Chief HR Officer explained that prior to the restrictions, the "fact they could look at anyone's educational record seemed to me … to be kind of fraught with potential FERPA compliance issues. So we had discussion around … this … unlimited access is kind of problematic because it really sets your members up for potential issues. And the Union stance on that was, 'Well, then you just go after the bad actors.'" The Chief HR Officer explained that when there was full access, a provider who had not been assigned to a student could access the student in ecWeb and share information with private preschool staff regarding a student's evaluation process. According to the Chief HR Officer, "our stance is that's really

not your business to go back and do that. We need to make sure we have a release from the parents that they know that we're communicating this information back to the private preschool providers. [The Licensed Union's] stance was, 'This is seriously limiting our ability to serve kids. And kids, in their words, were 'lost in the system' because our providers can't go back and check on the work of the evaluation team."

103. The Chief HR Officer described that initially, ecWeb access was restricted by location, "And then it was reported to me that apparently there's a lot of movement between kids" in several counties. Additionally, the Chief HR Officer cited feedback from the Licensed Union indicating the location restriction was too restrictive, "And so we increased access to the county level." When asked if they believed county access met the legitimate educational definition of FERPA, the Chief HR Officer said, "I think it's still pretty generous, but it was better. To me, it was better than having that full access to all four counties."

104. The Chief HR Officer confirmed there were no conversations with Licensed Union leaders or legal counsel regarding how the ecWeb access changes would impact providers prior to rollout. The Chief HR Officer described, "I don't believe we've had any feedback since November-ish [2025] and things are rolling along." The Chief HR Officer indicated any service interruptions for students due to the ecWeb access change were resolved within 24 hours.

105. The Chief HR Officer explained that while labor management relations between the District and the Licensed Union have been "strained," the District was not "trying to limit people's access. It was merely a way to just try to protect the privacy of our students and especially in our national political climate. … We felt like the restrictions on ecWeb were a protective measure for students and families. … And again, when we realized we had issues, we immediately met with the Union." The Chief HR Officer shared, "I think it's just a situation of this is what our staff had been used to having this full access, and so this change was a big deal."

106. In an interview with the Complaint Investigator, the Early Learning Executive Director described how the District's Child Find process began with the intake and referral team collecting the child's information from various sources and logging it into ecWeb using a standard template. Following an intake interview and Ages and Stages Questionnaires screening, children with identified delays were evaluated. For qualifying children, reports were sent to a site team through a standard notification system, which assigned a service provider to develop an IFSP and initiate services.

107. The Early Learning Executive Director explained that communication regarding the access changes began in May 2025 and that "issues or hiccups" should have been addressed with supervisors or administrative assistants at each site. Leadership met with the administrative assistants responsible for ecWeb record-keeping to evaluate if site-level access would be adequate. After triaging and problem-solving with the team, the District implemented the system changes at the end of July 2025.

108. The Early Learning Executive Director indicated that before the ecWeb access restrictions were implemented in July 2025, system access allowed anyone with ecWeb credentials to view any child's record, regardless of whether a FERPA consent form was signed. Additionally, they shared, "Now I have these separate recurrent data points that continue to indicate that people are looking at kids' educational records when they have no legitimate educational interest in these children's information. And so now it goes from an isolated staff issue to … a system issue. And the reality is everybody from an [instructional assistant] IA to a specialist at that time could see any record for any child in a four-county region. … That is not FERPA compliant." The Early Learning Executive Director explained they worked with their administrative team to define access "guardrails" and landed on "giving folks reasonable access to students who would reasonably be on their caseload," similar to that of an elementary school. They described several outliers in which access was less restrictive due to the way agencies were assigned students or the specific role of the provider.

109. The Early Learning Executive Director stated that in August 2025, an administrative assistant at the Complainant's site revised the access settings for all staff, making them more restrictive. Once alerted to the excessive restrictions, SPRI Distribution Manager 1 fixed the issue in less than 24 hours. However, this situation highlighted other workflow issues related to students who transferred between districts. According to the Early Learning Executive Director, providers "became furious that they didn't have immediate access to every kid. … They wanted to have full and immediate access to every child that potentially was moving into their provider area." Access was adjusted from the center level to the county level, and "a staff member would not have to wait more than 24 hours at most to get access to a new child that they would be serving if they're not currently able to see that child's record." The Early Learning Executive Director described that issues were "generally" solved "within an hour or less," and SPRI Distribution Manager 1 was tracking the issues that surfaced.

110. After the District implemented ecWeb access restrictions, the Early Learning Executive Director shared that the Licensed Union complained that certain providers lost access to child records while outside district employees retained access. The Early Learning Executive Director clarified those district employees had an inherent educational interest because the children belonged to their district, whereas the unassigned providers had no current "need to know" since the children were not yet eligible or on their caseloads. According to the Early Learning Executive Director, prior to the restrictions, providers routinely reviewed contact logs to share status updates with community preschools. They explained the providers' desire for collaboration was "the right intention, but without the proper procedures in place because they didn't have consent from the parent to be communicating with the preschool at this time."

111. The Early Learning Executive Director described a common scenario where a community provider was in a school community and they would receive an inquiry about where a student was in the referral process. The community providers "used to be able to go look" on ecWeb and see the status for any child, but with the changes, "they would not have been able to see that child's record." They reiterated it would be unnecessary for the provider to see the record of a child who is not part of their caseload yet.

112. According to the Early Learning Executive Director, "Some of the issues that came up as a result of the Complaint really related to community providers not being able to see kids is a FERPA issue; it is not a Child Find issue." Additionally, the Early Learning Executive Director described that they updated their website to include a FERPA form for community providers to use to garner parent permission.

113. Regarding communicating with other districts statewide regarding access privileges, the Early Learning Executive Director indicated that conversation was not "relevant" because the Early Learning Executive Director did not sign other districts' FERPA assurances. The Early Learning Executive Director said, "I'm responsible for this program and the way I understand FERPA, and I'm looking at our roles and how people have access to ecWeb, and I'm saying this is not FERPA compliant. For my program in this agency, we are not as we are sitting right now. … [County 1] is not [FERPA compliant]."

114. In an interview with the Complaint Investigator, the Director of Early Learning described how they primarily supervised administrators in County 1, but they also collaborated with the Early Learning Executive Director to determine "what is best for our families and our students."

115. Regarding FERPA and ecWeb accessibility, the Director of Early Learning shared, "It came to our attention that every person in our agency, all four counties, were able to see every child," which was contrary to the practice in the "school-age world" where only information for students in a particular building was accessible. The Director of Early Learning described they were involved in the original discussion regarding access with distributors and administrators, not with the providers, with a planned rollout for September 2025.

116. The Director of Early Learning indicated they were made aware of the ecWeb access impact on providers secondhand via an administrator and via this Complaint.

117. In an interview with the Complaint Investigator, SPRI Distribution Manager 1 described their role as reviewing paperwork from four counties, entering data into ecWeb, completing evaluation billing, submitting reports, and answering questions.

118. SPRI Distribution Manager 1 described the ecWeb access issue being related to a setting in ecWeb that needed to be "checked" to provide appropriate access. SPRI Distribution Manager 1 said, "So when they [the providers] kept saying they can't see outside agencies, it wasn't because of the restrictions, it was because that box was not checked. People just assumed that because of the restrictions … but that wasn't the case." SPRI Distribution Manager 1 indicated that anyone who logs into ecWeb can check the necessary boxes in the user settings, but when this particular issue arose, SPRI Distribution Manager 1 went through and checked the appropriate box for all ecWeb users.

119. SPRI Distribution Manager 1 recalled a discussion regarding releases of information (ROIs), "So the preschool teacher could call the referral line, but the problem was … that there was no ROI for these kids and referrals for the preschool. So if there was no ROI, the intake

team could not give them information about it. The parent could call and ask [for] the information, but without an ROI, they couldn't give any intake information to somebody that they did not have a release of information … ."

120. SPRI Distribution Manager 1 indicated they did not regulate access for individual ecWeb users. Typically, an administrative assistant adjusted access as needed. In this case, "I did the [overall] access restriction, but … some administrative assistants decided to help themselves and make some edits in their user settings for their providers at their site. … And when we first started getting all those emails … . … I noticed that the admin[istrative] assistants did things that they weren't supposed to do." SPRI Distribution Manager 1 described how they accessed the history of changes to determine who made adjustments to the access settings. SPRI Distribution Manager 1 emailed the administrative assistants and their supervisors and then "fixed it."

121. SPRI Distribution Manager 1 indicated "the two administrators [administrative assistants]" at the Complainant's site "restricted access a lot more." SPRI Distribution Manager 1 shared, "Why they did that, I have absolutely no idea. I told them not to. I did it all back [at] the end of July/August while everyone left for break. … I thought I made it clear at the meeting. … I guess they misunderstood or they heard something." SPRI Distribution Manager 1 shared, "I think part of it went south when administrators [administrative assistants] decided to restrict it even more … . It blew up into everyone was blaming the restrictions when it's not always the restrictions. And I wish they would've understood that it was a mistake by the admin[istrative] assistants that made it even worse. So it just snowballed … . … And everyone was getting so mad and so angry, and it was just exploding. … By the next week you could see that I put everyone's access back so they can see all [County 1]." SPRI Distribution Manager 1 described the error the administrative assistants made was checking the "provider" box, which "only let them see kids they provide services to."

IV. DISCUSSION

Accessibility of IFSPs

The Complaint alleged that IFSP service providers did not have access to ecWeb special education records of students enrolled in the special education programs operated by the District.

Contractors and subcontractors must ensure that the IFSP is available as soon as possible and at no cost to the parents. They must also ensure copies of the IFSP are available to each regular preschool teacher, EI/ECSE specialist, related service provider and other service provider who is responsible for its implementation. Contractors and subcontractors must also inform each teacher and provider of his or her specific responsibilities for implementing the child's IFSP and the specific accommodations, modifications and supports that must be provided for on behalf of the child in accordance with the IFSP.[3]

[3] OAR 581-015-2830(3); 34 CFR § 303.344(g)

To align with FERPA guidelines regarding "legitimate educational interest," the District transitioned from unrestricted, agency-wide ecWeb access, which previously allowed any staff member with access to view student records across all four counties, to role-based access parameters. Although this transition caused notable operational frustration and temporary technical barriers for service providers, the District acted promptly to correct reported access issues, with internal reviews confirming that no assigned provider waited more than 24 hours to regain file access and restrictions were temporarily rolled back during troubleshooting. Because these technical disruptions were resolved rapidly and providers were able to get access in other ways, the accessibility issues did not result in an IDEA violation.

The Department does not substantiate this allegation.

When IFSPs Must Be in Effect

The Complaint alleged the lack of access to special education records for the IDEA eligible students enrolled in special education programs operated by the District resulted in service providers failing to implement IFSPs as written.

An IFSP must be written before EI services or ECSE and related services are provided to the child and must begin as soon as possible following the meeting. An IFSP must also be provided year-round for children receiving EI services, unless agreed to otherwise by the parents or be in effect by the child's third birthday and at the beginning of the school year for children receiving ECSE services.[4]

In accordance with rules of the State Board of Education, the agencies under contract with the Department of Education to provide early childhood special education or early intervention services must ensure an IFSP is developed for each preschool child with a disability, who is determined eligible for early childhood special education or early intervention services and for the child's family. The State Board of Education shall establish by rule the contents of an IFSP and the procedures for the development, review and revision of an IFSP. Each agency under contract with the Department of Education to provide early childhood special education or early intervention services shall use the IFSP forms established by the Department of Education in the development, review and revision of IFSPs.[5]

In the case of a child with a disability aged three through five (or, at the discretion of the SEA, a two-year-old child with a disability who will turn age three during the school year), the IEP team must consider an IFSP that contains the IFSP content (including the natural environments statement) and its implementing regulations (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with IFSPs under this section who are at least three years of age), and that is developed in accordance with the IEP procedures under this part. The IFSP may serve as the IEP of the child, if using the

[4] OAR 581-015-2830(1); 34 CFR § 300.323

[5] ORS 343.521

IFSP as the IEP is consistent with State policy, and agreed to by the agency and the child's parents.[6]

Each public agency or EIS provider who has a direct role in the provision of early intervention services is responsible for making a good faith effort to assist each eligible child in achieving the outcomes in the child's IFSP. However, it does not require any public agency or EIS provider be held accountable if an eligible child does not achieve the growth projected in the child's IFSP.[7]

In response to FERPA compliance concerns, the District changed user permissions in ecWeb and this transition triggered widespread concern among licensed staff and union representatives, who argued that restricting immediate visibility across sites created an "ecWeb black hole" where unassigned or transitioning students could become invisible, thereby placing the implementation of IFSPs and the provision of a FAPE at risk. Staff highlighted operational challenges, such as losing immediate access to files during site-to-site transfers, facing difficulties preparing for upcoming revision meetings, and experiencing temporary system blocks caused by incorrect local administrative overrides or an unchecked configuration box in user settings.

The evidence gathered from student records and administrative documentation demonstrated that IFSPs were implemented as written. In cases where the specific IFSP documentation was absent from the reviewed file, individual service logs verified that special education services were being actively and continuously provided to students. Additionally, the District's internal review revealed that whenever a provider reported a lack of record access, the issue was addressed promptly; system access errors were typically resolved within an hour or less, and no record indicated a provider waited more than 24 hours for access to an assigned child. While County 1 staff experienced a brief 13-day period of site-only restriction before the District temporarily restored county-level access to troubleshoot back-end workflows, this window did not compromise service delivery. Additionally, a union leader also reported being unaware of any actual IDEA timeline or compliance issues occurring as a result of the access adjustments, confirming that the continuity of student services was maintained throughout the period of ecWeb access restriction.

The Department does not substantiate this allegation.

Child Find

The Complaint alleged the agency-imposed restrictions on educator access to student special education records directly undermined Child Find obligations by leaving providers unable to see any necessary information once the referral was submitted, which directly contributed to fewer children being identified, referred, evaluated, and found eligible.

School districts must identify, locate, and evaluate all children with disabilities for whom they are responsible, regardless of the severity of the disability, who are in need of early intervention, early childhood special education, or special education services, including: highly mobile children

[6] 34 CFR § 300.323

[7] 34 CFR § 303.346

with disabilities (such as migrant and homeless children); children who are wards of the state; Indian preschool children who reside on reservations; children who are suspected of having a disability even though they are advancing from grade to grade; children enrolled in public charter schools; children who are home schooled; children below the age of compulsory school attendance who are not enrolled in a public or private school program; children above the age of compulsory school attendance who have not graduated with a regular high school diploma; and children attending private schools. The requirements of this rule apply to all children unless they are no longer entitled to a FAPE.[8]

Each system must include a comprehensive child find system that is consistent and includes a system for making referrals to lead agencies or EIS providers under this part that includes timelines and provides for participation by the primary referral sources. The system ensures rigorous standards for appropriately identifying infants and toddlers with disabilities for early intervention services under this part that will reduce the need for future services and meets the requirements of this section. The lead agency, as part of the child find system, must ensure all infants and toddlers with disabilities in the State who are eligible for early intervention services under this part are identified, located, and evaluated, including: Indian infants and toddlers with disabilities residing on a reservation geographically located in the State (including coordination, as necessary, with tribes, tribal organizations, and consortia to identify infants and toddlers with disabilities in the State based, in part, on the information provided by them to the lead agency); infants and toddlers with disabilities who are homeless, in foster care, and wards of the State; infants and toddlers with disabilities; and an effective method is developed and implemented to identify children who are in need of early intervention services.[9]

The lead agency must ensure the child find system: is coordinated with all other major efforts to locate and identify children by other State agencies responsible for administering the various education, health, and social service programs relevant to this part, including Indian tribes, and is coordinated with the efforts of the program authorized under part B of the Act; Maternal and Child Health program, including the Maternal, Infant, and Early Childhood Home Visiting Program; Early Periodic Screening, Diagnosis, and Treatment (EPSDT); programs under the Developmental Disabilities Assistance and Bill of Rights Act of 2000; the Head Start Act; the Supplemental Security Income program; child protection and child welfare programs, including programs administered by, and services provided through, the foster care agency and the State agency responsible for administering the Child Abuse Prevention and Treatment Act; child care programs in the State; the programs that provide services under the Family Violence Prevention and Services Act; Early Hearing Detection and Intervention (EHDI) systems; and Children's Health Insurance Program (CHIP).[10]

The Superintendent of Public Instruction shall collaborate with the Early Learning System Director to develop and administer a statewide, comprehensive, coordinated, multidisciplinary, interagency program of early childhood special education and early intervention services for children with a disability. The program must ensure each child with a disability has access to a

[8] OAR 581-015-2080; 34 CFR § 300.111

[9] 34 CFR § 303.302 (a-b)

[10] 34 CFR § 303.302 (c)(1), 34 CFR § 303.303

comprehensive plan for communication that allows the child, by the age of three years, to engage in expressive and receptive communication across all learning, home and community settings. The plan may allow for communication orally, by sign language, by assistive technology or by augmentative communication. In accordance with rules of the State Board of Education adopted in consultation with the Early Learning Council, the Superintendent of Public Instruction in collaboration with the Early Learning System Director may: establish and designate service areas throughout the state for the delivery of early childhood special education and early intervention services that shall meet state and federal guidelines and be delivered to all eligible children; and designate in each service area a primary contractor that shall be responsible for the administration and coordination of early childhood special education and early intervention services to all eligible children and their families residing in the service area. Early childhood special education and early intervention services shall coordinate services with other services provided through the Oregon Early Learning System. The coordination of services shall be consistent with federal and state law. Children with a disability shall be considered residents of the service area where the children are currently living, including children living in public or private residential programs, hospitals and similar facilities.[11]

When the District transitioned from an agency-wide access model across four counties to a localized, site-specific access protocol, this transition caused immediate operational friction. Consequently, educators and community consultants reported being left "blind" during critical transition periods, unable to access historical evaluation data, look up contact logs, or verify if newly submitted referrals had been processed. Licensed staff and union representatives argued that these barriers directly hindered the District's Child Find duties, demonstrating that when the evaluation team could not reach a family, the student's file would be closed as "inactive" without the knowledge of community providers who could have prompted local preschool teachers to help re-engage the family.

Despite the operational frustrations and systemic communication gaps highlighted by educators, the evidence from comprehensive student file reviews indicated students continued to move through the identification process within legal parameters, with the majority of files demonstrating IDEA compliance. While isolated instances of communication delays occurred, such as a few evaluations stalling due to parent unresponsiveness or administrative processing backlogs, there was no documented pattern of students permanently "getting lost" or being denied eligibility due to the database configuration. Furthermore, the District demonstrated active compliance with broader Child Find mandates, documenting hundreds of outreach touches, material distributions, and resource fairs targeted at pediatric clinics and community preschools during the Complaint timeframe. Ultimately, while the initial database changes created administrative barriers and reduced the convenience of cross-site collaboration for providers, the evidence confirms that the District maintained its Child Find obligations, successfully processed referrals, and corrected access issues promptly without causing systemic timeline violations or a drop in student eligibility.

The Department does not substantiate this allegation.

[11] ORS 343.475

Procedural Safeguards

The Complaint alleged the barriers to the student special education records restrictions resulted in an increased risk of noncompliance with the IDEA timelines and procedural safeguards.

School districts must give parents a copy of the Notice of Procedural Safeguards at a minimum only one time per year, except that a copy must be given to the parents: upon initial referral or parent request for evaluation; upon request by a parent; and also to the child, at least a year before the child's 18th birthday. The procedural safeguards notice must include all of the content provided in the Notice of Procedural Safeguards published by the Department in the following areas: independent educational evaluations; PWN; parental consent; access to educational records; mediation, complaints and due process hearings; the child's placement during pendency of due process proceedings; procedures for students who are subject to placement in an interim alternative educational setting; requirements for unilateral placement by parents of children in private school at public expense; civil actions, including the time period for filing such actions; attorney's fees; and transfer of rights at age of majority. The Notice of Procedural Safeguards must be written in language understandable to the general public. The Notice of Procedural Safeguards must be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the school district shall take steps to ensure the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; the parent understands the content of the notice; and there is written evidence that the district has met these requirements.[12]

PWN must be given to the parent or surrogate parent a reasonable time before the contractor or subcontractor proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, placement of the child; or the provision of appropriate EI services if the child is from birth to age three; or the provision of a FAPE to the child if the child is three years of age to eligibility for public school. The content of the PWN must include: a description of the action proposed or refused by the contractor or subcontractor; an explanation of why the contractor or subcontractor proposed or refused to take the action; a description of any options the IFSP team and reasons why those options were rejected; a description of each evaluation procedure, assessment, test, record, or report which is directly relevant to the proposal or refusal; a description of any other factors relevant to the contractor's or subcontractor's proposal or refusal; a statement the parents of a child with a disability have procedural safeguards and, if it is not an initial referral for evaluation, the means by which a copy of the Notice of Procedural Safeguards may be obtained; sources for parents to contact to obtain assistance in understanding their procedural safeguards; and for children in EI, a statement of the complaint procedures, including a description of how to file a complaint and the timelines under those procedures. The prior notice must be written in language understandable to the general public; and be provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the contractor or subcontractor must take steps to ensure the notice is translated orally or by other means to the parent in the parent's native language or

[12] OAR 581-015-2315; 34 CFR § 300.500, 34 CFR § 303.400

other mode of communication; the parent understands the content of the notice; and there is written evidence the requirements of this rule have been met. If a parent is deaf or blind, or has no written language, the mode of communication must be that normally used by the parent (such as sign language, Braille, or oral communication). Contractors and subcontractors must provide notice of Procedural Safeguards.[13]

The evidence indicates that while the implementation of site-level access restrictions in ecWeb created operational barriers and widespread staff frustration, it did not ultimately result in documented noncompliance with the IDEA timelines or procedural safeguards. Licensed staff expressed frustration that the system changes created data-access gaps during site-to-site transfers and left newly referred students "invisible," which they feared would cause children to be missed or fall out of compliance. Providers recounted instances where they could not access files to complete transition paperwork, review past records, or track active evaluations for community preschool referrals, which they argued could lead to unreachable families being marked inactive. Despite these perceived systemic risks, and a temporary escalation exacerbated by an administrative error that excessively restricted access at one location, the actual impact on mandatory timelines remained minimal. The District's site-level restriction in County 1 lasted only 13 days before being rolled back to county-level access to alleviate workflow bottlenecks. Furthermore, an extensive investigation of student material records demonstrated that the majority faced no issues regarding the IDEA timelines, parent participation, or informed consent. While a few files showed delays in evaluation consent, these were attributed to unresponsive parents, rather than database blocks. Ultimately, direct written response from union leadership confirmed they were unaware of any actual IDEA timeline violations resulting from the ecWeb changes, indicating that the administrative safeguards and subsequent workflow corrections successfully mitigated the risk of noncompliance.

The Department does not substantiate this allegation.

Free Appropriate Public Education (FAPE)

The Complaint alleged the legally required procedural duties under the IDEA were not being completed, which led to delayed evaluations, inadequate preparation for meetings, and compromised service coordination, which resulted in a denial of a FAPE for students enrolled in the District programs.

School districts must provide 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.[14]

A FAPE must be available to all children residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school.

[13] OAR 581-015-2745
[14] OAR 581-015-2040

For a FAPE for children beginning at age 3, each State must ensure the obligation to make a FAPE available to each eligible child residing in the State begins no later than the child's third birthday; and an IEP or an IFSP is in effect for the child by that date. If a child's third birthday occurs during the summer, the child's IEP team shall determine the date when services under the IEP or IFSP will begin. Each State must ensure a FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade. The determination a child is eligible under this part, must be made on an individual basis by the group responsible within the child's LEA for making eligibility determinations.[15]

The District's transition with ecWeb access was designed to align with FERPA guidelines regarding legitimate educational interest. While this transition created temporary operational barriers, these disruptions did not constitute an IDEA violation. Furthermore, a review of student records confirmed that students were not denied a FAPE.

The Department does not substantiate this allegation.

V. CORRECTIVE ACTION[16]

In the Matter of Northwest Regional Education Service District
Case No. 026-054-019

Based on the facts provided, no corrective action is ordered.

Dated: this 4th Day of August 2026

Ramonda Olaloye

_____

Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

_____

E-mailing Date: August 4, 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

[15] 34 CFR § 300.101

[16] 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)).

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).)