BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of	)	FINDINGS OF FACT,
Reynolds School District 7	)	CONCLUSIONS,
	)	AND FINAL ORDER
	)	Case No. 26-054-023

I. BACKGROUND

On February 13, 2026, the Oregon Department of Education (Department) received a written special education complaint (Complaint) from the parents (Parents) of a student (Student) who, during the time period of the complaint, attended an elementary school in the Reynolds School District (District). The Complaint requested that the Department conduct a special education investigation under OAR 581-015-2030. The Department confirmed receipt of the Complaint and forwarded the request to the District.

Under state and federal law, the Department must investigate written complaints that allege violations of the Individuals with Disabilities Education Act (IDEA) and issue an order within sixty days of receipt of the complaint.[1] This timeline may be extended if the Parent and the District agree to the extension to engage in mediation or local resolution or for exceptional circumstances related to the complaint.[2]

On February 25, 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 11, 2026.

The District submitted a *Response* on March 09, 2026. In its *Response*, the District disputed each of the allegations, provided an explanation, and submitted documents in support of the District's position. The District submitted the following relevant items:

1. Individualized Education Program (IEP), 6/14/24
2. IEP, 5/29/25
3. Notice of Team Meeting, 5/29/25
4. Prior Written Notice (PWN), 6/14/24
5. PWN, 5/29/25
6. Meeting Minutes, 6/14/24
7. Meeting Minutes, 5/29/25
8. Special Education Placement Determination, 6/14/24

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

9. Special Education Placement Determination, 5/29/25
10. Student Grade Report, undated
11. IEP Progress Report, 2/13/25
12. IEP Progress Report, 6/12/25
13. Emails, 2024-25 and 2025-26 School Years
14. Student Work Samples, 9/25 to 2/26

The Parents did not submit a *Reply* to the District's *Response*, nor other relevant items.

On February 20, 2026, and March 23, 2026, the Complaint Investigator interviewed the Parents. The Complaint Investigator interviewed District personnel on March 17, 2026. Virtual interviews were conducted instead of on-site interviews. The Complaint Investigator reviewed and considered all these documents, interviews, and exhibits in reaching the findings of fact and conclusions of law contained in this order. This order is timely.

II. ALLEGATIONS AND CONCLUSIONS

The Department has jurisdiction to resolve this Complaint under 34 CFR §§ 300.151-153 and OAR 581-015-2030. The Parents' allegations and the Department's conclusions are set out in the chart below. The conclusions are based on the Findings of Fact in Section III and the Discussion in Section IV. This Complaint covers the one-year period from February 14, 2025 to the filing of the Complaint on February 13, 2026.

Allegations	Conclusions
When IEPs Must Be in Effect The Complaint alleged that the District violated the IDEA by not providing special education and related services in accordance with the Student's IEP. Specifically, the District: 1) failed to implement the Specially Designed Instruction (SDI) during the 2024-2025 and 2025-2026 school years and 2) failed to provide the Parent with progress reports that explain the Student's progress toward their annual IEP goals during the 2025-2026 school year. (OAR 581-015-2220; 34 CFR §300.323)	**Not Substantiated** The District provided the Parents with progress reports as required by the Student's IEP. While the District failed to provide the Student with three 30-minute sessions of SDI in Math, this was not a material failure to implement the Student's IEP.
Free Appropriate Public Education (FAPE) Due to the alleged IDEA violations detailed above, the Complaint alleged that the District failed to provide the Student with a FAPE. (OAR 581-015-2040; 34 CFR §300.101)	**Not Substantiated** The District did not commit any procedural violations that resulted in a denial of FAPE.

REQUESTED CORRECTIVE ACTIONS

The Complainant requested corrective action as follows:

1. Ensure all minutes that haven't been administered over the last 12 months to be administered by an agency outside (Student's school district) free of charge, before the start of the 2026-2027 school year.

III. FINDINGS OF FACT

IDEA regulations limit complaint investigations to alleged violations occurring no more than one year before the Department's receipt of the special education complaint. This Complaint Investigation did not consider any IDEA violations alleged to have occurred before February 14, 2025. Any facts listed below relating to circumstances or incidents earlier than that date are included solely to provide context necessary to understand the Student's disability and special education history.

1. The Student is 11 years old and in the 5th grade. They are eligible for special education under the categories of Specific Learning Disability (SLD) and Other Health Impairment (OHI). During the 2024-25 school year, the Student was also eligible under the category of Developmental Delay (DD).

2. The Student is not currently enrolled in the District.

3. In Spring 2025, the Student attended 4th grade at an elementary school in the District (the School). The Student continued at the School as a 5th grader for the 2025-26 school year.

4. The Student had an active IEP during the 2024-25 school year, dated June 14, 2024. The IEP includes, among other things:

    a. Student strengths, interests, and preferences: "[The Student] is a 4th grade student, who is creative, does well with things that [they are] interested in, and social and outgoing with friends. [They] will write letters to peers and [their] behavior has improved greatly. [The Student] understands expectations, and is able to access calming areas appropriately. [They are] system and routine oriented, likes to play soccer and play outside. Gets along with [sibling] and plays, very organized with belongings at home and at school. Strong in decoding and reading fluency."

    b. Parent Concerns: "[The Parent] was worried about the level of assistance [they have] been receiving. More help with academics, [w]orried about teacher for next year and how the relationship. [sic] ([Parent] enjoyed homework packets going home.)"

    c. Present Levels of Performance: The Student's May 14, 2024 Star Math Enterprise standard score was 817, which falls in the 1st percentile. On April 12, 2024, during progress

monitoring of oral reading fluency in Acadience, they were able to read 119 words in one minute with 100% accuracy. On May 9, 2024, the Student received a standard score of 887 on the Star Reading Enterprise, which falls in the 7th percentile. The Student attends weekly speech therapy sessions with two other students working on speech sounds. They have obtained a minimum 80% accuracy of vocalic /r/ at the sentence level and they are currently targeting /th/ at the word level and working toward 80% accuracy at the sentence level. The Student's disability affects their involvement and progress in the general education curriculum because their "delays can sometimes make it challenging for [them] to cope with strong emotions and persevere in participating in non-preferred tasks in the classroom setting."

d. Goals: The Student has two goals in Behavior/Emotional; a Reading goal; and a Communication Skills goal.

   i. Progress on goals will be reported "During school's regular written report time," with anticipated dates of February 13, 2025 and June 13, 2025.

e. Specially Designed Instruction (SDI): The anticipated location for all SDI is designated as "Across Instructional Settings." The role responsible for monitoring the SDI is identified as "Special Education Teacher/Provider," for Reading and Behavior/Emotional and "Speech Language Pathologist" for Communication Skills.

   i. Communication Skills for 90 minutes per month;
   ii. Behavior/Emotional for 30 minutes per week; and
   iii. Reading for 60 minutes per week.

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

g. Supplementary Aids/Services; Accommodations: preferential seating, with proximity to teacher; short, specific directions given calmly; model accurate speech articulation if speech sound error is made; visual positive feedback from teacher; break space and pre-taught calming strategies; visuals to support communication, reminders for classroom expectations and reminders for routines; first/then language to support transitions and directions which may include visuals; checks for understanding; and access to fine motor tools.

h. Supports for School Personnel: Consultation to general education teacher and IEP team from Speech Language Pathologist for 60 minutes yearly.

i. Non-Participation Justification: "[The Student] may work on [their] goals in the classroom, or in a pull-out model if necessary, for no more than 20% of [their] school day."

5. The Student has an active IEP for the 2025-2026 school year, dated May 29, 2025. The IEP includes, among other things:

   a. Student strengths, interests, and preferences: The Student is "super fun and super smart." "[They are] also artistic, creative, loving and musically talented. [They] work hard in

groups and has fun. [They have] some strong relationships with a few peers and seems to prefer smaller groups."

b. Parent Concerns: The Parents are concerned about "video games," and "negativity through chat rooms." The Parents are also concerned about academics and proper support for the Student.

c. Present Levels of Performance: In the area of Reading, the Student has a Winter 2025 Acadience reading composite of 332, which qualifies as "At Benchmark." This was an improvement over Spring 2024 and Fall 2024 when the Student scored in the "Below Benchmark" and "Well Below Benchmark" range on the same assessment. In Writing, the Student has a WIAT 4 standard score of 68 in Essay Composition, placing them in the 2nd percentile or extremely low range. In Math, the Student's I-Ready diagnostic scale score of 402 on January 22, 2025, places them at a 1st grade equivalent. In Math, "[The Student] has made some growth in 4th grade according to [their] Acadience scores. The spring benchmark data is not yet available but it appeared that [the Student] was on target to achieve a full year's growth by the end of the year. This would place [them] between 1st and 2nd grade level math heading into the 5th grade."

d. Goals: The IEP includes one goal each for Reading and Math, and two goals for Writing.

    i. Progress on goals will be reported "During school's regular written report time," with anticipated dates of January 16, 2026 and June 12, 2026.

e. Specially Designed Instruction: The anticipated location for all SDI is designated as "Across Instructional Settings" and the role responsible for monitoring the SDI is identified as Special Education Teacher/Provider.

    i. Reading for 60 minutes per week;
    ii. Written Language for 60 minutes per week; and
    iii. Mathematics instruction for 60 minutes per week.

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

g. Supplementary Aids/Services; Accommodations: access to break space and pre-taught calming strategies; visuals to support communication, reminders for expectations in the classroom, and reminders for routines; short, specific directions given calmly; access to typing or speech to text for longer writing activities; checks for understanding; graphic organizers and sentence frames for writing activities; preferential seating and proximity to teacher to help the Student focus; manipulatives, graphics or visual representations of multiplication problems; highlight key words and phrases in writing assignments and prompts; and access to fine motor tools.

h. Supports for School Personnel: Consultation with the "general education team" by the Special Education Teacher/Provider for 60 minutes per year.

i. Non-Participation Justification: "[The Student] may work on [their] goals in the classroom, or in a pull-out model if necessary, for no more than 20% of [their] school day."

6. The District provided the Investigator with the service schedules for the Student's special education case managers for the 2024-25 and 2025-26 school years. These schedules identify the specific times when the Student received the SDI required by their June 14, 2024 and May 29, 2025 IEP's. When interviewed, the Student's 4th grade and 5th grade case managers indicated that they followed these service schedules during the time period of the Complaint.

7. The Student's 4th grade Case Manager (4th grade Case Manager) reported that, during the second semester of the 2024-25 school year, they provided the Student with their SDI in the Resource Room as follows:

   a. Reading SDI: twice per week for 30 minutes each session from 8:00-8:30 am;
   b. Behavior/Emotional SDI: once per week for 30 minutes from 10:10-10:40 am.

8. On April 3, 2025, the Student began receiving their Behavior/Emotional SDI from a different special education teacher (Special Education Teacher). For the remainder of the 2024-25 school year, the Special Education Teacher provided the Student with their Behavior/Emotional SDI during a weekly, small group "lunch bunch" for 30 minutes from 12:00-12:30 pm. The Special Education Teacher shared that these weekly sessions provided the Student with socialization opportunities and shared activities to work on their Behavior/Emotional goal.

9. On May 29, 2025, the District convened the Student's annual IEP meeting. At this meeting, the IEP team also reviewed the District's three-year re-evaluation of the Student and determined the Student's continued eligibility for special education.

10. When interviewed, the 4th grade Case Manager shared that they assessed the Student's academic abilities using the Wechsler Individual Achievement Test, Fourth Edition (WIAT-4) as part of the Student's re-evaluation. They used this data, along with IEP team input, to develop the present levels and goals in the May 29, 2025, IEP.

11. On June 12, 2025, the 4th grade Case Manager developed a progress report for the Student's IEP goals. Since the Student's May 29, 2025 IEP had been developed just two weeks prior, there was minimal progress to report on the new goals. The progress report did not include the Student's progress on goals from their June 14, 2024 IEP as this was no longer the Student's active IEP.

12. When interviewed, the 4th grade Case Manager reported that the Parents also received detailed information regarding the Student's progress reporting through the Student's three-year re-evaluation and discussion at the May 29, 2025 IEP.

13. In an email to the District's Director of Special Education (Director), dated March 13, 2026, the Speech Language Pathologist confirmed that the Student received all of their SDI in Communication Skills as required by the June 14, 2024 IEP.

14. At the May 29, 2025, IEP Meeting, the Speech Language Pathologist reported on the results of their re-evaluation of the Student. On an articulation assessment, "[The Student] received a standard score of 106 on the sounds-in-words sub-test, indicating [their] articulation skills were within average range when compared to [their] same age peers." The Speech Language Pathologist indicated that "[t]here are no further concerns with [their] articulation or intelligibility." In the area of receptive and expressive language, the Student's scores on the Clinical Evaluation of Language Fundamentals (CELF-5) demonstrated that they were functioning with the average range when compared with peers of the same age.

15. Based on the results of the re-evaluation, the IEP team determined that the Student no longer required SDI in Communication Skills and speech/language services were discontinued in the May 29, 2025 IEP.

16. At the start of the 2025-26 school year, the Student had a new case manager (5th grade Case Manager), who was a long-term substitute teacher. There was collaboration between the 5th grade Case Manager and the 4th grade Case Manager to create a schedule for delivery of the Student's SDI.

17. In an interview, the 5th grade Case Manager reported that, at the start of the 2025-26 school year, they provided the Student with their SDI in the Resource Room. This SDI was provided twice per week on Tuesdays and Wednesdays for a total of 90 minutes each day. This time was divided equally so that the Student received two thirty-minute sessions each of Reading, Written Language, and Math SDI per week. As such, the Student received 60 minutes per week of SDI in each academic area as required by their May 29, 2025, IEP.

18. In late October 2025, the 5th grade Case Manager and the Student's General Education Teacher determined that the Student would benefit from receiving their Reading SDI within the general education classroom. The Student began to receive their Reading SDI during small group reading instruction provided by the General Education Teacher. The 5th grade Case Manager indicated the Student found the reading curricula of high interest. The Student participated in a Reader's Theatre group and twice weekly book groups, reading texts of high interest to the Student, including (The Wild Robot and Because of Winn Dixie.) The General Education Teacher and the 5th grade Case Manager reported that the Student exhibited improved participation in their Reading SDI when services were provided in the general education classroom.

19. In November 2025, the 5th grade Case Manager consulted and collaborated with the General Education Teacher to also deliver the Student's Written Language SDI for 60 minutes per week in the general education classroom. The 5th grade Case Manager and General Education Teacher reviewed the Student's writing goal and the 5th Grade Case Manager created a data sheet for the General Education Teacher to document writing instruction that was related to the Student's IEP goal.

20. The 5th Grade Case Manager prepared a progress report for the Student's IEP goals on December 18, 2025. The progress report was uploaded into Synergy, the District's online document management system, and was available for the Parent to access along with the

Student's general education report card. The District communicated to the Parents in Fall 2025, that both report cards and IEP progress reports would be available electronically starting in the 2025-26 school year.

21. As reflected in the December 18, 2025 Progress Report, the Student made the following progress on their goals from the May 29, 2025 IEP:

    a. Reading: Code 4 (progress made toward goal, and goal will likely be met by next review) with the comment, "[o]n 12/15/25, on an assessment in which [the Student] was given a text and five inferences, [they] wrote relevant supporting details for 2 of 5 inferences. [They] scored 40% on the rubric."

    b. Math: Code 4 (progress made toward goal, and goal will likely be met by next review) with the comment, "[o]n 12/15/25, given an assessment in which [the Student] was asked to complete 12 problems multiplying two 1-digit numbers, [the Student] correctly multiplied on 11 of 12 problems. [They] had 92% correct."

    c. Writing #1: Code 3 (progress made toward goal, but the goal may not be met,) with comment, "[o]n 12/15/25, on an assessment in which [the Student] was asked to write an organized opinion paragraph about a given topic, [they] scored 50% on the rubric. [They] included a topic sentence that stated [their] opinion and two reasons related to [their]opinion. [Their] paragraph contained 36 words, all correctly written. [They] had several punctuation errors and one grammar error."

    d. Writing #2: Code 3 (progress made toward goal, but the goal may not be met,) with comment, " [o]n 12/15/25, given an assessment with five two-syllable words containing silent consonants, [Student] spelled 0 out of 5 correctly."

22. The 5th grade Case Manager left the District in December 2025. Starting in January 2026, the role of case manager for the Student was served by itinerant substitute teachers. There was one substitute for the first two weeks of January, then different substitutes daily through the remainder of the complaint period.

23. To ensure continuity of services, the 5th grade Case Manager left folders with instructional materials in the Resource Room for all students on their caseload. These folders contained SDI work activities to support each student's IEP goals. The 5th grade Case Manager indicated the work folders also included student schedules and student information. Additionally, the 5th grade Case Manager prepared work manuals that were tabbed by activity to support instruction when working with the students. The Student's SDI for Math was provided through Bridges Intervention curriculum. The 5th grade Case Manager noted that the Bridges Intervention curriculum was located on a shelf in the Resource Room and was accessible to the substitute Case Managers. The 5th grade Case Manager also indicated that the Student had a folder with their IEP goals in their desk, and that the location of this information was documented for the substitute Case Managers. The 5th Grade Case Manager indicated the work folders allowed the substitute Case Managers to know what the Student was working on in their general education classroom.

24. In January 2026, the substitute Case Managers continued to provide the Student with their Math SDI in the Resource Room per the schedule that was established in Fall 2025. The General Education Teacher continued to provide the Student with their Reading and Written Language SDI through small group instruction in the general education classroom.

25. The School's Principal (Principal) acknowledged there were three days when the School was unable to secure a substitute Case Manager. As a result, on January 20, 21 and February 3, 2026, the Student did not receive their Math SDI in the Resource Room as scheduled.

26. The District provided the Investigator with work samples to demonstrate that the Student received their SDI during the 2025-2026 school year. The District provided approximately 83 pages of the Student's work from September 2025 through January 2026. These work samples included reading comprehension analysis, generative expository writing in paragraph form, Student review of letter sounds and multi-syllabic words; and mathematics review of subtraction and addition, and exposure to multiplication as outlined in the Student's IEP. The samples are from varied curricula, including "Spire," reading, word pronunciation and letter sounds, (ex. soft g, ir, ay, and dge), "Goalbook," specially designed instruction for reading and writing; "Spectrum," math instruction and "Bridges Intervention," math instruction. All align to the Student's IEP goals.

27. The Student showed academic growth during the 2024-25 and 2025-26 school years. The District's re-evaluation of the Student from May 2025 demonstrated growth in academics and communication across the 2024-2025 school year. The results indicated the Student benefited from the Reading and Communication SDI outlined in their 6/14/2024 IEP. A communication assessment conducted in May 2025 demonstrated strong growth in articulation skills and the Student graduated from speech services in May 2025. As detailed in the present levels of the May 29, 2025 IEP, a reading evaluation showed the Student improved by several grade levels, with decoding and fluency near grade level, and comprehension slightly below grade level. During the 2025-26 school year, according to District mid-year assessments, the Student demonstrated strong growth in reading. At different intervals during the school year, the Student took assessments in i-Ready math and Acadience reading. The Student's Acadience reading composite score increased from 261 at the beginning of the school year to a mid-year score of 362.

28. During an interview, the Parents stated that the Student's IEPs were not implemented during the 4th and 5th grade school years. Parents reported that they have been unable to access school staff and that the Student's academic abilities have stagnated at the 1st grade level. The Parents stated they were unable to fully advocate for the Student due to one of the Parent's employment with the District and concern that advocacy might result in retaliatory action from the District. The Parents expressed further concern regarding the lack of a consistent special education Case Manager and substitute Case Manager coverage, beginning in January 2026. Parents reported substitute Case Managers were sometimes reassigned from the Resource Room to cover other staff absences throughout the School.

V. DISCUSSION

When IEPs Must Be in Effect

The Parents alleged that the District violated the IDEA by not providing special education and progress reports in accordance with the Student's IEP. Specifically, the District failed to implement the SDI and progress reports for the second semester of the 2024-2025 school year and during the 2025-2026 school year as required by the Student's IEPs, dated June 14, 2024 and May 29, 2025.

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

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

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

> "The materiality standard does not require that the child suffer demonstrable educational harm in order to prevail. However, the child's educational progress, or lack of it, may be probative of whether there has been a significant shortfall in the services provided. For instance, if the child is not provided the reading instruction called for and there is a shortfall in the child's reading achievement, that would certainly tend to show that the failure to implement the IEP was material. On the other hand, if the child performed at or above the anticipated level, that would tend to show that the shortfall in instruction was not material."[9]

In this case, the evidence demonstrated that the Student received all of the SDI required by their June 14, 2024 IEP from the start of the complaint period until May 29, 2025 when a new

[3] OAR 581-015-2220(1)(a); 34 CFR §300.323(c)
[4] OAR 581-015-2220; 34 CFR §300.323
[5] Questions and Answers on *U.S. Supreme Court Decision Endrew F. v. Douglas County Sch. Dist.* Re-1, 71 IDELR 68 (EDU 2017)
[6] OAR 581-015-2000(37); 34 CFR §300.39(b)(3)
[7] *Van Duyn v. Baker Sch. Dist. 5J*, 502 F3d 811 (9th Cir. 2007) ("Van Duyn")
[8] *Id.*
[9] *Id.*

annual IEP was developed. During the 2025-2026 school year, the District experienced staffing difficulties which impacted the delivery of SDI. The District stipulated the Student did not receive the Math SDI required by their May 29, 2025 IEP when the District was unable to obtain a substitute special education teacher on January 20 and 21, 2026 and February 3, 2026; all school days when the Student would have received Math SDI per the Student's service schedule. This resulted in the Student missing three 30-minute sessions of SDI throughout the time period of the Complaint. As of December 2025, when progress was most recently reported, the Student was making progress on their math goal and was expected to meet it by their next annual IEP. There is no evidence that the minimal amount of SDI that was missed impacted the Student's progress on their Math goal and it does not constitute a material failure to implement the Student's IEP.

The District noted the Reading and Written Language SDI provided during the 2025-26 school year was provided by the General Education Teacher in collaboration with a special education teacher. The 5th grade Case Manager met with the General Education Teacher to design and monitor the provision of Reading and Written Language SDI to the Student. The provided instruction was individualized and tailored to meet the Student's unique needs as identified in their IEP goals.

The District provided the Parents with progress reports on the Student's goals at the intervals set forth in both the June 14, 2024 and May 29, 2025 IEPs. IEP progress reports were provided to the Parents with the Student's general education report cards at the end of each semester. While the June 2025 progress report contained minimal data due to the recent development of a new annual IEP, the District was not obligated to report progress on goals from an outdated IEP. In addition, the Parents were provided with significant information regarding the Student's progress through the District's May 2025 re-evaluation.

The Department does not substantiate this allegation.

Free Appropriate Public Education

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

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

[10] OAR 581-015-2040(1); 34 CFR §300.101(a)
[11] OAR 581-015-2040
[12] OAR 581-015-2040; 34 CFR §300.17

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

In this case, the District was not found to have committed any procedural violations. Accordingly, there was no denial of FAPE.

The Department does not substantiate this allegation.

V. CORRECTIVE ACTION

In the Matter of Reynolds SD 7
Case No. 26-054-023

No corrective action is ordered in this matter.

Dated: this 14 Day of April, 2026



Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: April 14, 2026

Appeal Rights: Parties may seek judicial review of this Order. Judicial review may be obtained by filing a petition for review within sixty days from the service of this Order with the Marion County Circuit Court or with the Circuit Court for the County in which the party seeking judicial review resides. Judicial review is pursuant to the provisions of ORS §183.484. (OAR 581-015-2030 (14).)

[13] *Endrew F.,* 137 S.Ct. at 999
[14] *W.G. v. Bd. of Trustees of Target Range Sch. Dist. No. 23,* 960 F.2d 1479, 1484 (9th Cir. 1992)