BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Salem-Keizer School District 24J	)	FINDINGS OF FACT,
	)	CONCLUSIONS,
	)	AND FINAL ORDER
	)	Case No. 26-054-030

I. BACKGROUND

On March 2, 2026, the Oregon Department of Education (Department) received a written request for a special education complaint investigation from the parents (Parents) of a student (Student) residing in the Salem-Keizer School District (District). The Parent requested the Department conduct a special education investigation under OAR 581-015-2030. The Department confirmed receipt of this Complaint and forwarded the request to the District.

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

On March 9, 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 23, 2026.

On March 23, 2026, the District communicated via email with the Department that the District did not contest the allegations and proposed stipulated corrective actions.

The District submitted the following relevant items:

1. District Response, 03/23/2026
2. Manifestation Determination Review, 02/20/26
3. Evaluation Report, 03/28/25
4. Eligibility Statement, 04/11/25
5. Student IEP Amendments, 04/11/25, 02/06/26-02/20/26, 03/01/26-03/11/26
6. Special Education Placement Determination, 03/11/26
7. Prior Written Notices, 04/11/25, 05/30/25, 10/23/25, 2/20/26, 03/11/26
8. Functional Behavior Assessment, 05/06/25

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

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

9. Behavior Intervention Plan, no date
10. Safety/Separation Plan, 05/29/25
11. Step Up Plan, no date
12. Incident Log, 09/05/25-03/02/26
13. Student Attendance, 09/03/25-03/03/26
14. Discipline Records, 02/28/25-03/02/26
15. Special Education Service/Contact Logs, 03/30/22-02/13/26
16. District Policies, 08/06/25
17. Emails, 01/15/25-3/10/26

The Parents did not submit any items.

On April 16, 2026, the Complaint Investigator provided the nature and content of a Stipulated Corrective Action and the District's proposal to the Parents. This order is timely.

II. ALLEGATIONS AND CONCLUSIONS

The Department has jurisdiction to resolve this Complaint under 34 CFR §§ 300.151-153 and OAR 581-015-2030. The Parent's allegations and the Department's conclusions are set out in the chart below. The conclusions are based on the Findings of Fact in Section III and the Discussion in Section IV. This Complaint covers the one-year period from March 3, 2025, to the filing of this Complaint on March 2, 2026.

Allegations	Conclusions
Manifestation Determination Review The Complaint alleged the District violated the IDEA by not conducting a manifestation determination review when the Student was suspended for 10 days in a school year, and for "each suspension beyond the 10 days." (OAR 581-015-2405; 34 CFR §300.530)	**Not Contested** The District did not contest this allegation.

REQUESTED CORRECTIVE ACTION
1. The Parent requests that the Department investigate the matter.

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 March 3, 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. The Student is 11 years old, in the 6th grade, and attends a middle school in the District.

2. On March 3, 2026, the Parents filed this Complaint.

3. On March 23, 2026, the District did not contest the allegations made in the Complaint and proposed Stipulated Corrective Actions. The Parents have been apprised of the nature and content of the Stipulated Corrective Action, as set forth in the table below.

IV. DISCUSSION

The Complaint alleged an IDEA violation, which the District does not contest.

The Department did not make a substantive determination regarding the allegations in the Complaint.

V. CORRECTIVE ACTION[3]

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Based on the District not contesting the allegation in this Complaint, the Department orders and the District stipulates to the following Corrective Action:

Action Required	**Submissions**	**As Soon As Possible But No Later Than Due Date**
1. The District will provide training to licensed special education staff and administrators serving or located at the Middle School regarding manifestation determination reviews.	The District will submit training materials to ODE for review and approval. The District will submit proof of completion of the training, i.e. sign-in sheet for training.	**July 9, 2026** **September 30, 2026**

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

2. The District will convene an IEP meeting with the Parent to determine an appropriate amount of compensatory education and a plan for delivery of the compensatory education.	The District will submit documentation of the IEP meeting, including the meeting notice, minutes, and other documentation describing the type and the amount of compensatory education that the District will provide. Evidence showing compensatory education was provided such as contact/service logs.	**June 12, 2026** **January 15, 2027**

Dated: this 1 Day of May 2026



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Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: May 1, 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).)