BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of	)	FINDINGS OF FACT,
Salem-Keizer School District 24J	)	CONCLUSIONS,
	)	AND FINAL ORDER
	)	Case No. 26-054-035

I. BACKGROUND

On March 17, 2026, the Oregon Department of Education received a written request for a special education complaint investigation from the parent (Parent) 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. 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.

On March 26, 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 April 9, 2026

The District submitted a Response on April 9, 2026, in which it communicated it did not contest the allegations. The District proposed stipulated Corrective Actions in its Response. The Complaint Investigator spoke with the attorney for the District (Attorney) on May 1, 2026, seeking clarification of the proposed stipulated Corrective Actions. The Attorney forwarded the District's clarification on May 5, 2026.

The District submitted the following relevant items:

> The District submitted over 1300 pages of documents that were responsive to the Request for Response. The documents included, among other things, the Students' evaluations, IEPs, special education file, and communications between the parties.

The Parent did not submit any items.

After discussion with the Department, the District agreed to the Corrective Actions in this order. On May 14, 2026, the Department notified the Parent of the proposed corrective actions. 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 18, 2025, to the filing of this Complaint on March 17, 2026.

Allegations	Conclusions
Least Restrictive Environment The Complaint alleged that the District failed to place the student in the least restrictive environment. (OAR 581-015-2240; 34 CFR §300.114)	**Not Contested** The District does not contest this allegation.
Failure to Implement The Complaint alleged that the District failed to implement the accommodation of a Behavior Intervention Plan (BIP) as required by the Student's IEP. (OAR 581-015-2220, 581-015-2205; 34 CFR §§300.323(d),300.324(a)(2)(i))	**Not Contested** The District does not contest this allegation.
IEP Content The Complaint alleged that the District failed to include supports and services in the Student's IEP, specifically a one-to-one aide, that are necessary to address the Student's unique educational needs. (OAR 581-015-2200,2220; 34 CFR §§300.320(a)(4),300.323(c)(2), 300.101)	**Not Contested** The District does not contest this allegation.
Parent Participation The Complaint alleges that the District interfered with the Parent's ability to participate in decisions with respect to the Student's IEP and the provision of a free appropriate public education to the Student. Specifically,	**Not Contested** The District does not contest this allegation.

Allegations	Conclusions
the District refused to allow the Parent to observe a special education placement proposed by the District unless the Parent first consented to the placement. (OAR 581-015-2190, 2195; 34 CFR §§ 300.322, 300.501 (b))	

Requested Corrective Action
1. Invocation of "Stay Put" by ordering that Student remain in their current placement at a District elementary school pending the outcome of this Complaint and the completion of triennial evaluations.[1] 2. An order that the District fund an Independent Educational Evaluation (IEE) by an expert in Williams Syndrome to establish appropriate academic and social-emotional goals.[2] 3. Order the assignment of a 1:1 aide to implement the BIP in the current neighborhood school setting. 4. Formally recognize Parent's right to observe any proposed program prior to placement meetings and allow reasonable, regular observations of Student's current program. 5. Provide compensatory services for instructional time lost during the 2024-25 and 2025-26 school years due to failure to identify the need for a BIP during the first months of kindergarten and subsequent delay of six months to develop a BIP after completion of a Functional Analysis of Behavior, then subsequent failure to provide sufficient staff support to fully implement the BIP. 6. Order District-wide training for administrators on parental participation rights.

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 March 18, 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 six years old and enrolled at an elementary school in the District.

[1] The implementation of "Stay Put" may be available through a due process hearing; however, it is not available through this Complaint process.

[2] The Parent may request an Independent Educational Evaluation (IEE) at public expense from the District as outlined in their procedural safeguards.

2. On March 17, 2026, the Parent filed this Complaint.

3. On April 9, 2026, the District submitted a Response to the Complaint and did not contest the allegations made by the Parent.

IV. DISCUSSION

The Complaint alleged IDEA violations which the District does not contest.

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

V. STIPULATED CORRECTIVE ACTION

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Based on the District not contesting the allegations in this Complaint, the Department orders the following Corrective Action:

Action Required	**Submissions**	**Due Date As Soon As Possible But No Later Than**
1. The District will convene an IEP meeting with the Parent, unless it has already done so, to determine an appropriate placement for the Student, including whether the Student should remain in the Student's neighborhood school. The IEP team will further consider whether a 1:1 aide is necessary for the Student to receive FAPE, including the implementation of the Student's Behavior Intervention Plan.	Documentation of the IEP meeting, including the meeting notice, minutes, placement determination page, and other documentation describing the Student's placement and any supplementary aids and services provided.	**June 12, 2026**
2. The District will convene a meeting with the Parent to: a. Determine an appropriate amount of compensatory education for the District's failure to implement the Student's BIP and/or include	A completed written plan for delivery of compensatory education, including the type and amount of services the District will provide, developed in a	**June 12, 2026**

appropriate supports and services in the Student's IEP; and b. Develop a plan for delivery of the compensatory education.	meeting with the Parent; and Evidence showing the compensatory education was provided.	 **January 15, 2027**
3. The District will provide training for licensed special education staff, related service providers, and administrators serving or located at the Student's school. Training topics will include the following: a. Least restrictive environment and placement requirements under the IDEA; b. Determining appropriate special education services and supports in IEPs; c. Effective implementation of IEPs; and d. Meaningful parent participation in the IEP development process.	Training agenda and materials to ODE for review and approval. Proof of completion of the training, including sign-in sheets.	**June 30, 2026** **January 15, 2027**

Dated: this 15 Day of May 2026

Ramonda Olaloye

Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: May 15, 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).)