BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of	)	FINDINGS OF FACT,
Grants Pass School District 7	)	CONCLUSIONS,
	)	AND FINAL ORDER
	)	Case No. 26-054-038

I. BACKGROUND

On March 20, 2026, the Oregon Department of Education received a written request for a special education complaint investigation from the parents of a student (Student) residing in the Grants Pass School District 7 (District). The Parents 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 Parents 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 30, 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 15, 2026. This due date was subsequently extended, by mutual agreement of the parties, to participate in mediation. Mediation was not successful and the investigation resumed.

The District submitted a *Response* on June 24, 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, dated 06/24/2026
2. District Attendance Records, undated
3. Prior Notice of Special Education Action, 04/02/2026
4. Student Individualized Education Program (IEP), 03/11/2026
5. Special Education Notice of Meeting, 02/13/2026
6. Prior Notice of Special Education Action, 03/11/2026
7. Noticed of Proposed Transfer of Special Education Rights, 03/11/2026
8. Statement of Eligibility for Special Education, 03/11/2026

[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. Psychoeducational Evaluation, 03/30/2026
10. Prior Notice/Consent for Evaluation, 02/26/2026
11. Manifestation Determination Review (MDR), 01/30/2026
12. Prior Notice of Special Education Action, 01/30/2026
13. Special Education Notice of Team Meeting, 01/29/2026
14. Parent email to the District Regarding Incident, 01/27/2026
15. Prior Notice of Special Education Action, 05/25/2025
16. Student Individualized Education Program, 03/13/2026
17. Prior Notice of Special Education Action, 03/14/2025
18. Notice of Proposed Transfer of Special Education Rights, 03/14/2025
19. Student Expulsion Hearing, 02/06/2026
20. Student Expulsion Hearing Appeal, 03/10/2026
21. Expulsion Packet, 03/10/2026
22. District Expulsion Letter, 01/27/2026
23. District Proposed Expulsion Letter, 01/27/2026
24. Expulsion Hearing Rights, undated
25. Parent Acknowledgement of Expulsion Letter Receipt, 01/30/2026
26. Unsigned Waiver of Rights to Expulsion Hearing, undated
27. Manifestation Determination Review (MDR), 01/30/2026
28. Prior Notice of Special Education Action, 01/30/2026
29. Special Education Notice of Team Meeting, 01/29/2026
30. Student Absences and Tardies, undated
31. Student Academic Transcript, undated
32. Student Attendance Overview, undated
33. Student Incident Report
34. Student Positive Behavior Support Intervention (PBIS)
35. Hearing Officer Ruling, 02/09/2026
36. Response to Appeal, 03/12/2026
37. Response to Parent re Appeal Date Correction, 03/20/2026
38. IEP Progress Report, 03/11/2026

The Parents submitted a *Reply* on June 29, 2026, providing an explanation and rebuttal and documents in support of the Parents' position. The Parents submitted the following relevant items:

1. Parents' *Reply* to the District's *Response* to *RFR*, 06/29/2026
2. Expulsion Hearing Email, 03/05/2026
3. Additional Findings Documentation, undated
4. Present Levels of Academic Achievement and Functional Performance, 03/14/2025
5. Email Requesting Guidance for MDR, Expulsion Hearing, and Available Supports, 02/02/2026
6. Email Requesting Incident Report and Evidence Supporting Proposed Expulsion, 02/02/2026
7. Email Providing MDR Documents, 02/02/2026

The Complaint Investigator interviewed the Parent on 07/10/26. On 07/09/26 and 07/10/26, the Complaint Investigator interviewed 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 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 March 21, 2025, to the filing of this Complaint on March 20, 2026.

Allegations	Conclusions
When IEPS Must Be in Effect The Complaint alleges that the District did not provide special education services in accordance with the Student's IEP following a disciplinary removal. Specifically, the Complaint asserts that the District did not implement the specialized instruction, small-group instruction, and access to a special education teacher required by the Student's IEP. The Complaint further alleges, the District placed the Student in a setting that provided less support than the level of services documented in the IEP, resulting in a reduction of the services required to be in effect. (OAR 581-015-2220, 34 CFR § 300.323 & 300.116)	**Not Substantiated** • The District continued to provide the Student with a FAPE during the disciplinary removal: IDEA permits services to be delivered in an interim alternative educational setting (IAES) after a non-manifestation determination, and Bridges PM provided SDI, small-group instruction, and access to a certified special education teacher. • Services required by the IEP were available: The Student continued receiving specialized instruction and individualized support consistent with their IEP; no evidence shows SDI or accommodations were withheld. • Placement code does not need to change: IDEA and OAR do not require a change in placement code during

	disciplinary removal unless the IEP team changes placement, which did not occur. • No reduction in the services required: The record does not show that the District placed the Student in a setting with less support than the IEP required or that any IEP services were reduced or discontinued.
Placement The Complaint alleges that the District placed the Student in a setting that provided less support than the level of services documented in the IEP, resulting in a reduction of the services to be in effect. (OAR 581-015-2250; 34 CFR § 300.116)	**Not Substantiated** • Following a non-manifestation determination, IDEA permits the District provide services in an interim alternative educational setting (IAES) without changing the IEP placement code. • Bridges PM provided access to a special education teacher, individualized support, and a 2:6 ratio, meeting IDEA's requirements for continued services. • Placement codes do not need to change during disciplinary removals unless the IEP team changes placement, which did not occur. • No evidence shows the District placed the Student in a setting that provided less support than the IEP required.

Content of IEP The Complaint alleges that the District did not ensure that the Student's IEP accurately reflected the services required following a disciplinary removal. Specifically, the Complaint asserts that the District reduced the Student's services without documenting the change in the IEP, resulting in services that were not sufficient to enable the Student to participate in the general curriculum and make progress toward IEP goals as required. (OAR 581-015-2200; 34 CFR § 300.320; 34 CFR § 300.530(2))	**Substantiated** • The IEP team reviewed present levels and progress, but the removal of Language Arts SDI was not supported by sufficient data. • The Student continued to demonstrate reading comprehension and written-language needs. • The discussion around removing ELA SDI was not sufficiently clear, limiting meaningful parent understanding and informed decision-making.
Parent Participation The Complaint alleges that the District did not ensure the Parents' participation in decisions that resulted in a reduction of the Student's services following a disciplinary removal. Specifically, the Complaint asserts that the District made changes to the level of support provided such as direct instruction, small-group instruction, and access to a special education teacher without including the Parent in the decision-making process as required under the IDEA. (OAR 581-015-2190; 34 CFR § 300.501)	**Not Substantiated** • Parents attended the IEP meeting, provided input, and had the opportunity to ask questions and contribute to decisions. • IDEA does not require parental agreement for every IEP decision; participation is satisfied when parents can engage meaningfully. • The District provided Prior Written Notice (PWN) to the Parents on 01/30/26, documenting the MDR determination and the disciplinary decision made in the meeting. • The District communicated with the Parents prior to the meeting and provided the finalized IEP afterward.

	• No evidence shows the District restricted parent participation or predetermined the outcome of the meeting.
Free Appropriate Public Education (Denial of FAPE) Due to the alleged IDEA violations detailed above, the Complaint alleges that the District failed to provide the Student with a free appropriate public education. (OAR 581-015-2040, 34 CFR § 300.101)	**Not Substantiated** • IDEA requires continued access to FAPE during disciplinary removal, and Bridges PM provided SDI, small-group instruction, and access to a certified special education teacher. • The Student continued earning coursework and credits, demonstrating ongoing access to instruction aligned with the IEP. • The Parents selected Bridges PM from the two options offered, confirming the setting was acceptable and capable of delivering SDI. • No evidence shows the District withheld services, reduced SDI, or failed to provide accommodations required by the IEP.

REQUESTED CORRECTIVE ACTION
1. Provide services consistent with the Student's IEP, including direct teacher led and small group instruction. 2. Provide access to a qualified special education teacher for specially designed instruction. 3. Provide a placement that is aligned with the IEP team's determination of need. 4. Provide compensatory education for services not provided

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 21, 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 will be a 12th Grade student this upcoming school year (i.e., the 2026-27 school year). The student has been enrolled in the District since kindergarten and has been eligible for special education services and instruction since 8th grade. The Student was initially found eligible for special education on 5/16/2023 under the eligibility category of Other Health Impairment ("OHI") (i.e., related to ADHD) during 8th grade.

2. The Student's Annual IEP dated 03/13/25 noted no concerns with communication, social skills, gross or fine motor skills. The IEP indicated struggles with math, reading comprehension, written expression, behavior and organization. Additional IEP contents included:

    a. Parents reported concerns with the Student's homework struggles, fibbing about the completion of homework, and the Student receiving a modified diploma.
    b. Teacher reports state the Student is no different than any other student who requires redirection sometimes.
    c. The Student's SDI is documented as 80 minutes per week for Language Arts and Math.
    d. The Student's accommodations were documented as preferential seating, checking for understanding, redirect off-task behavior, use of text to speech, read aloud or text to speech for grade level content, guidance in use of a calculator, pre-teach vocabulary, extended time for assignments and tests, copy of class notes after instruction, and provide checklists for multiple steps or directions.

3. On Saturday, 01/24/26, the District administration was made aware of an incident that occurred during a wrestling tournament on 12/20/25. The video showed one of the District wrestlers ("Student 1"), who identifies as Black, while someone made monkey noises at Student 1. Someone could also be heard saying, "Monkey in a cage." The District was notified that Student 1's parents had filed a police report.

5. On Monday, 01/26/26, the District began an investigation into the incident, interviewing multiple individuals involved in the incident. During the investigation, it was determined:

    a. The Student had been involved in placing Student 1 in a locker.

b. The Student placed another student ("Student 2"), who is also a minority student in a locker before placing a lock on the locker and walked away, before returning to let Student 2 out.
c. Then the Student placed Student 1 in the locker.
d. Another student who was interviewed during the investigation shared that the Student had placed a lock on the locker after putting Student 1 in the locker, but the Student did not engage the lock.
e. The Student admitted to putting Students 1 and 2 in closed lockers against their will.

6. On 01/26/26, the District contacted the Parent(s) via phone about the findings of the investigation. During that phone call, a Manifestation Determination Review ("MDR") for the Student was scheduled for Friday, 01/30/26. The Parent(s) did not make any indications during that call, nor afterward, that 01/30/26 would not work as a potential date.

7. The Student's first day of suspension was on 01/27/26. That same day, the Parents submitted additional information to the District staff for consideration regarding the incident via an email on 01/27/26.

8. The Parents assert that the District's reliance on the timeline of the 01/26/26 telephone call, the email, and the 01/30/26 MDR did not provide them with sufficient information to fully understand the events taking place or the disciplinary process that was unfolding.

9. The Parent response states that on 01/26/26, a telephone call occurred on the Student's first day of removal from school. During that conversation, District staff informed the parent that the Student had been suspended pending a possible expulsion while the investigation continued. The Parent was not informed during this call that a manifestation determination review (MDR) had already been scheduled for 01/30/26.

10. The Parent response states that on 01/27/26, the Parent emailed the District indicating an understanding that the investigation into the incident was still ongoing. In that email, the Parent asked about the Student's educational instruction during the suspension, requested information regarding the anticipated timeline, and asked that all relevant information be considered before any decisions were made. The email did not reference a scheduled manifestation determination review (MDR), and the District did not clarify in its response that an MDR had been scheduled for 01/30/26.

11. On 01/29/26, the District confirmed the upcoming MDR with the Parents via phone at 10:34 a.m. During that call, the date of the MDR was confirmed and the Parents informed the District that the Student would be in attendance at the MDR.

12. During the 01/30/26 MDR, the Student confirmed the actions taken by the Student were wrong. During the meeting, all meeting participants, including the Parents, were in

consensus that the incident did not occur because of a failure to implement the Student's IEP. 01/30/26 MDR Meeting Notes reflect that all participants agreed that the incident was not the result of the school's failure to implement the IEP.

13. The Parents noted in the 01/30/26 MDR that impulsivity struggles could have contributed to the incident, whereas the District staff opined that the behavior that the Student engaged in deviated from that reflective of impulsivity struggles. The Parents did not contest that the incident had occurred or that the Student had been involved.

14. The Parents disagreed that the behavior was not a manifestation of the Student's disability. Because the team did not reach consensus, the District Representative for the 01/30/26 meeting made the determination that the conduct was not a manifestation of the Student's disability.

15. The District provided Prior Written Notice (PWN) on 01/30/26, consistent with IDEA's requirement to issue written notice when proposing or refusing an action related to identification, evaluation, placement, or provision of FAPE. During the 01/30/26 MDR meeting, the District documented providing the Parents with a copy of the Procedural Safeguards, which informed them of their rights under IDEA and described the actions the District was taking in response to the MDR determination. The District did provide both PWN and the required notice of parent rights on the date the disciplinary decision was made.

16. On 01/31/26, the Parent emailed the District to express disagreement with the manifestation determination review (MDR) decision. In the email, the Parent stated that the District's law firm had directed them back to the District for questions regarding the MDR process, the disciplinary hearing, reconsideration options, and next steps.

17. On 02/02/26 the Parent(s) emailed the District to request support for the upcoming expulsion hearing.

18. On 02/02/26, the Parent emailed the District requesting copies of all documents, videos, and evidence associated with the incident in which the Student engaged.

19. On 02/02/26, the District responded to the Parent's request for records and asked whether Thursday morning would be a suitable time for the Parent to come to the District Office. The District stated that the expulsion binder would be prepared for pick-up and that the District could view the video of the incident with the Parent at that time.

20. On 02/02/26, the District emailed the Parent the MDR documents and meeting notes.

21. The District held an expulsion hearing on Friday, 02/06/26 and during the expulsion hearing, the Student again confirmed engaging in the alleged conduct.

22. On Monday, 02/09/26, the Expulsion Hearings Officer sent a letter with the conclusions.

23. The Hearing Officer found that a full expulsion through 1/25/27 was appropriate also stating:

    a. If the District determines that the Student has good attendance, grades, and behavior during current enrollment, the Student may be eligible to enroll at the high school campus at the start of the 2026-2027 school year, under an Enrollment Contract (EC).
    b. If significant progress is made in grades, attendance, and behavior, District staff will meet with the Student to determine athletic eligibility for summer/fall 2026 football.

24. On 03/05/26, the District emailed the Parent providing information regarding the upcoming 03/10/26 hearing and included attachments related to the hearing process. The email also offered the Parent an opportunity to view the video of the incident prior to the hearing.

25. The Parents appealed the Hearing Officer's expulsion recommendation to the District School Board of Education on 3/10/26. The Board upheld the Hearing Officer's recommendation for a full expulsion with the option for a conditional enrollment for the fall of 2026.

26. The District response states that since 02/09/26, the Student has met the requirements for an Enrollment Contract, which the family and the District created. As such, the Student is currently set to return to the high school campus of attendance at the beginning of the 2026-27 school year.

27. The Parents were notified on 02/13/26 via telephone and then followed up with an email for an IEP meeting scheduled for 03/11/26.

28. On 02/13/26, a Special Education Notice of Meeting was sent to the Parents with information checked that one purpose for the 03/11/26 IEP meeting would be to develop or review an IEP based on information from a variety of sources including the most recent evaluation, progress reports, assessments, and parent information.

29. The District response states that prior to the disciplinary incident the Student's most recent IEP was the 03/14/25 Annual IEP. That IEP included Specially Designed Instruction ("SDI") in Math for 40 minutes per week, Language Arts SDI for 40 minutes per week, and Study Skills SDI for 80 minutes per week.

30. The District response states that when the Student was expelled, the District was able to provide 100% of the Student's SDI in one of two settings, either: (1) Homebound

Instruction, or (2) the Bridges PM program. The District gave the Parents the option of choosing the program for the Student to receive services during the expulsion.

31. The District response indicates the Parents selected the Bridges Program that is an afterschool program. The program is attended Monday through Thursday, from 3:30 to 5:30 p.m. (i.e., eight hours of instruction per week). During that time, a certified special education teacher is available for at least four of the eight hours to work directly with students, and to also direct and oversee SDI that is implemented by general education staff.

32. In the Parents' response it was stated that the Parents did not dispute that the Bridges PM program employed a certified special education teacher, that general education staff worked within the program, or that the program was capable of providing specially designed instruction. The Parents also stated that they did not dispute that the Student's IEP required specially designed instruction and individualized supports.

33. The Parents reported that, in reviewing the District's assertion that the Student received "100% of [their] specially designed instruction," there were three key observations:

    a. The Parents were unable to locate documentation identifying when specially designed instruction was delivered, who provided it, the duration of services, or how the instruction addressed the Student's disability-related needs.
    b. The Parents did not find service logs, instructional schedules, provider records, progress monitoring documentation, or similar records demonstrating implementation.
    c. The Parents found limited documentation showing how the Student's accommodations and individualized supports including executive functioning instruction, organizational support, checks for understanding, redirection, instructional monitoring, and other supports requiring ongoing teacher interaction—were implemented during the placement.

34. The District response reports that the Student's services in the IEP continued to be implemented as written, and the Student continued to be able to make progress in the general education curriculum after moving to the Bridges PM program.

    a. On 03/11/26, the Student's IEP team met for a Re-Eligibility and Annual IEP meeting, which was held via video conference. The Student was invited, however did not attend. Both Parents were in attendance.
    b. The Student was determined to be eligible for OHI due to ADHD and a new annual IEP was created.
    c. During that meeting, the team reached consensus regarding SDI for the Student which consisted of Math SDI 40 minutes per week, Study Skills SDI 60 minutes per week, and Executive Functioning SDI 60 minutes per week.

d. SDI in the 03/11/26 IEP could be implemented directly by the special education teacher at the Bridges PM program. Additionally, the IEP team continued the previous placement code of 80% or more of the day in regular class.
e. The services in the IEP were revised at the Annual IEP meeting in 03/11/26 based on the Student no longer demonstrating a need for SDI in Language Arts. The Parents indicated that math was still a struggle, which the special education staff confirmed, and SDI was maintained in the IEP.
f. The IEP team also revised the Self-Determination and Study Skills goals to Executive Functioning and Study Skills goals based on the present levels that the Student was demonstrating at the time of the 03/11/26 IEP meeting.
g. The Bridges PM program is staffed at a 2:6 ratio of adults to students. This is a smaller class size than prior to being expelled and allowed for more individual attention based on student needs.

35. Documentation from the 03/11/26 IEP meeting indicates the Student had earned 17 credits and required an additional 7 credits to graduate with a standard diploma. Progress information shared during the March 11, 2026, IEP meeting indicated that the Student had completed 100% of Health with a score of 83%, 50% of U.S. History with a score of 74%, 21% of English Language Arts with a score of 74%, and 5% of Science with a score of 68%.

36. The District response states that the Parents were provided written input to the school psychologist prior to the eligibility meeting and both Parents attended the scheduled meeting and provided input into the IEP throughout the meeting, including the need for maintaining a math goal. The IEP services were not revised prior to the 03/11/26 Annual IEP meeting.

37. The Parent response reports that during the 03/11/26 IEP meeting that the proposed removal of English Language Arts specially designed instruction was not meaningfully discussed. The Parents stated that they were not provided a draft IEP prior to the meeting and did not realize that English Language Arts specially designed instruction had been removed until reviewing the finalized IEP after the meeting. As a result, the Parents reported that they did not have a meaningful opportunity to ask questions about the educational basis for the change, understand the rationale for the removal, or discuss possible alternatives before the IEP was finalized.

38. The District Response states that the Student was able to continue to earn credits toward graduation in general education classes, was able to complete seven total courses during the time attending the Bridges PM program.

39. The District response stated that at the end-of-year, progress reports show that the Student was on track to meet their IEP goals and had done well enough during the expulsion period that the District moved forward with the Enrollment Contract that would

allow the Student to attend summer 2026 academic and athletic programming and return to the regularly attended campus at the beginning of the 2026-27 school year.

40. The 3/11/26 IEP meeting notes the Parents concerns as Student's disciplinary placement in an online instructional setting would not support the Student's learning needs and that that the lack of in-person support would not benefit the Student. The Parents further reported the consequence was overly harsh given the Student's impulsivity and requested that the Student be permitted to return to campus, including participation in sports.

41. The Parents' response reports that their signatures on the 03/11/26 IEP should not be interpreted as agreement with all decisions reflected in the finalized document. The IEP itself states that parent signatures "do not indicate agreement that the current placement or services being provided are consistent with the IEP." The Parents explained that their signatures acknowledged participation in the meeting and receipt of the IEP but did not signify agreement with revisions that were not meaningfully discussed during the meeting.

42. The Parents' response reported that, while educational outcomes are relevant, they do not establish whether the individualized services required by the Student's IEP were consistently implemented. The Parents stated that a student may earn credits, complete coursework, and make academic progress while still not receiving all IEP-required services.

43. The Parents' response reported that, although the Student earned credits, they entered their senior year still needing to complete English 10 and a full year of science. The Parents stated that these remaining requirements should not be interpreted as establishing a denial of FAPE but rather illustrate why credit completion alone should not be viewed as the sole measure of whether the Student received the individualized educational services required by the IDEA.

44. On 07/09/26, the Staff interviewee stated the Parents participated via Zoom meeting and did not turn the camera on during the meeting. The IEP team reviewed comprehension, new evaluation, decoding, and progress reports to determine the Student's goals for language arts SDI would be removed as the Student's focus, attention, and organization were the Student's primary challenges.

45. On 07/09/26, Staff shared an email recalling calling the Parent(s) prior to the 03/11/26 IEP meeting to discuss the Student's progress and concerns prior to the meeting and at that time the Parent expressed no concerns about reading comprehension.

46. On 07/09/26, the Staff interviewee stated it was the understanding that an orientation was provided to the Parents and the Student for the Bridges PM program to explain services.

47. On 07/10/26, Staff interviews were conducted and staff reported the following regarding SDI implementation:

    a. The IEP was implemented during the time the Student was enrolled at Bridges PM.
    b. The SDI was provided for two hours each week with 1 hour specifically dedicated to math.
    c. The Bridges PM naturally meets the Students accommodations by design.
    d. The Student was successful and earned credits and IEP progress was emailed to the Parents.
    e. The Parent was contacted by the teacher providing progress in the Bridges PM program near the completion of the program.

48. On 07/10/26, Staff interviews were conducted and the staff reported the following regarding parent participation in the IEP meeting on 03/11/26:

    a. The IEP team discussed the accommodations that would be most helpful to the Student.
    b. The IEP team discussed the setting at Bridges PM could meet the accommodations.
    c. The IEP team reviewed progress, goals, evaluations and discussed supports.
    d. The IEP team reviewed the evaluation and discussed the Student's challenges with focus, organization, and attention as related to ADHD; the Student also maintained an SDI goal for math.
    e. The staff stated language arts goals for SDI were removed due to student progress and the Student did not have a specific learning disability.
    f. The staff interviewed noted there was a lack of participation and communication during the meeting. It was reported that one Parent was upset, and the second Parent asked the first Parent not to say anything more.

49. During the Parent interview on 07/10/26, the Parents reported the following:

    a. On 01/20/26, which was prior to the incident that was cause for change of placement, the District staff called to discuss the Student's progress and Parent input for the 03/11/26 IEP meeting.
    b. The Parents reported the Student as a senior would still need to complete credits for 10th grade English and still required 7 credits to receive a standard diploma.
    c. The Parents reported feeling blind-sided in meetings and unclear as to what was taking place.
    d. The Parents indicated the only reintegration plan that has been discussed is the enrollment contract which has been established for the Student. The enrollment contract stipulates behavior, attendance, and grade requirements.
    e. The Parents reported in interview receiving information from the District that the Student had met conditions and would be eligible for the contract as designed.

f. The Parents reported being told the credits the Student earned, and credits required for graduation concluding the Bridges PM program.

IV. DISCUSSION

When IEPS Must Be in Effect

The Complaint alleges that the District did not provide special education services in accordance with the Student's IEP following a disciplinary removal. Specifically, the Complaint asserts that the District did not implement the specialized instruction, small-group instruction, and access to a special education teacher required by the Student's IEP. The Complaint further alleges, the District placed the Student in a setting that provided less support than the level of services documented in the IEP, resulting in a reduction of the services required to be in effect.

Under OAR 581-015-2220 and 34 CFR §300.323, a district must ensure that a student's IEP is implemented as written, including specially designed instruction (SDI), accommodations, and access to qualified personnel.

Neither the IDEA nor Oregon Administrative Rules require districts to maintain service logs, minute-by-minute records, or provider documentation to demonstrate implementation. The absence of logs does not, by itself, establish that services were not provided. Districts must implement the IEP, but they are not legally required to document each instance of service delivery unless the IEP itself requires such documentation.

The Parents assert that the District did not implement SDI or accommodations during the disciplinary removal. Their concern is based primarily on the absence of documentation showing when SDI was delivered, who provided it, or how instruction addressed disability-related needs. The District explained that the Bridges PM program operated four days per week for two hours per day, with a certified special education teacher present for at least half of the instructional time. The Parents did not dispute that the program employed a certified special education teacher, that general education staff worked within the program, or that the program was capable of delivering SDI.

District interviews further confirmed that the Parents were told during the MDR that a special education teacher would be provided through the Bridges PM program. Interviews also confirmed that the special education teacher did meet with the Student, and that the teacher contacted the Parent with one week left in the program to provide an update on the Student's progress. In the Parent interview conducted on 07/10/26, the Parent confirmed that the teacher reached out and discussed the Student's progress. Additionally, Student progress reports were discussed with the Parent during the 03/11/26 meeting, and the Parent did not indicate any concerns with the Student's services or progress prior to the MDR in their response or interview. The Parents stated that it was not clear why English Language Arts (ELA) services were changed on 03/11/26, although they did not disagree with the change in the IEP meeting. The District reported in interview that the recommendation to modify ELA services was based

on the Student's progress reviewed during the 03/11/26 IEP meeting. During the 07/10/26 interview, the Parent confirmed receiving a phone call from the District in 01/20/26 to discuss the Student's progress and Parent concerns in preparation for the 03/11/26 IEP meeting; however, the Parent noted that the District did not mention any proposed changes to ELA services during that call.

Although both parties confirmed communication regarding the Student's progress, no documentation was provided showing the Student's progress in the Bridges PM program beyond the confirmed phone call between the special education teacher and the Parent. No written progress summaries, work samples, or instructional records from the Bridges PM program were submitted for review.

The record shows, as reported in interviews, that the Student earned 7 credits, completed coursework, and made progress in multiple classes during the placement. Additionally, the District's decision to move forward with the Enrollment Contract (EC), which required evidence of satisfactory attendance, grades, and behavior, further demonstrates that the Student maintained progress consistent with IEP expectations. The EC contract permitted the Student to return to campus and participate in athletics, conditions that were explicitly tied to the Student's academic and behavioral performance during the expulsion period. This outcome supports that the Student's IEP services were implemented sufficiently to maintain progress and meet the criteria established by the Hearing Officer. There is no indication in the record that a failure to implement IEP services occurred.

The Department does not substantiate this allegation.

Placement

The Complaint alleges that the District placed the Student in a setting that provided less support than the level of services documented in the IEP, resulting in a reduction of the services to be in effect.

Under OAR 581-015-2250 and 34 CFR §300.116, placement decisions must be made by the IEP team and must reflect the level of support required by the IEP. A disciplinary removal does not require a change in placement code unless the IEP team formally changes placement.

Neither the IDEA nor Oregon Administrative Rules require districts to maintain service logs or written documentation of placement-specific service delivery. The absence of logs does not, in itself, establish that a placement failed to provide required support.

Following the disciplinary removal, the District offered two service delivery options: Homebound Instruction or the Bridges PM program. The Parents selected the Bridges PM program. The evidence shows that the Bridges PM program provided a 2:6 adult-to-student ratio, access to a certified special education teacher, and opportunities for individualized support.

Under IDEA's disciplinary provisions (34 CFR §§ 300.530–300.536) and Oregon Administrative Rules (OAR 581-015-2400 through 2445), when a disciplinary removal constitutes a change of placement, the District retains the authority to determine an appropriate interim alternative educational setting (IAES), provided the student continues to receive a free appropriate public education (FAPE). Oregon law specifically permits school personnel to "consider any unique circumstances on a case-by-case basis when determining whether to order a disciplinary removal" (OAR 581-015-2415(2)).

Because the manifestation determination review (MDR) found that the behavior was not a manifestation of disability, the District was permitted to apply the same disciplinary procedures used for children without disabilities (OAR 581-015-2415(5)), including assignment to an alternative educational setting. The IDEA requires that during such removals, the District must continue to provide services enabling the student to participate in the general curriculum and progress toward IEP goals. The Bridges PM program met these requirements by providing access to a certified special education teacher, individualized support, and the ability to deliver SDI consistent with the IEP.

ODE guidance further clarifies that a disciplinary removal does not require a change in the IEP placement code unless the IEP team changes the student's placement. The placement code ("80% or more in general education") therefore remained appropriate because the IEP team did not modify the Student's placement. The District's obligation was to ensure continued access to FAPE during the disciplinary removal, not to alter the placement code.

Additionally, ODE guidance states that parents and school districts can agree to change a student's placement for disciplinary reasons at any point. In this case, the Parents agreed to the Bridges PM program. The evidence does not show that the District unilaterally reduced services or provided less support than the IEP required. Instead, the District exercised its authority under IDEA and Oregon law to implement a lawful disciplinary removal while continuing to provide FAPE in an appropriate alternative setting selected by the Parents.

The Department does not substantiate this allegation

Content of IEP

The Complaint alleges that the District did not ensure that the Student's IEP accurately reflected the services required following a disciplinary removal. Specifically, the Complaint asserts that the District reduced the Student's services without documenting the change in the IEP, resulting in services that were not sufficient to enable the Student to participate in the general curriculum and make progress toward IEP goals as required.

Under OAR 581-015-2200 and 34 CFR §300.320, an IEP must accurately reflect the services required for the student to access the general curriculum and make progress toward goals. When circumstances change, the IEP team must revise the IEP as appropriate.

The Parents allege that the District reduced services without documenting changes in the IEP and did not revise the IEP to reflect the Student's needs during disciplinary removal. The record shows that the Student's IEP was updated at the annual IEP meeting on 03/11/26. The IDEA does not require immediate revision of an IEP upon disciplinary removal, and the District was permitted to continue implementing the existing IEP while providing FAPE in an alternative setting. At the 03/11/26 IEP meeting, the team discussed present levels, maintained Math SDI, and revised Study Skills and Executive Functioning SDI based on current needs.

However, the removal of Language Arts SDI is not fully supported by the evidence in the record. At the time of the meeting, the Student had completed only 21% of English Language Arts coursework, with a score of 74%. The Student's IEP and present levels continued to document reading comprehension needs, difficulty following lecture-based instruction, and reliance on accommodations such as read-aloud, text-to-speech, checks for understanding, and organizational support. These needs are directly related to English Language Arts instruction.

District staff reported during interviews that the Student "did not qualify as SLD." This statement is inconsistent with the services documented in the IEP. The Student continued to receive Math SDI, which is ordinarily provided when a student demonstrates disability-related needs in academic skill acquisition, problem-solving, or calculation areas commonly associated with Specific Learning Disability or other academic-impact disabilities. If the Student did not qualify as SLD, the continued need for Math SDI indicates that the Student still required specially designed instruction to access grade-level content. This contradiction undermines the rationale for removing Language Arts SDI, particularly when the Student demonstrated ongoing reading and written-language needs.

Although staff reported that they spoke with the Parents in preparation for the 03/11/26 IEP meeting, this communication occurred before the incident and before the change of placement and therefore did not include discussion of the Student's current instructional context or the impact of the disciplinary removal. While the IEP team reviewed current progress and current Edgenuity performance, the record does not demonstrate that the Student's disability-related needs had changed sufficiently to justify removal of Language Arts SDI.

The Student remained a 12th-grade student still needing credit for ELA 10, and IDEA requires that the IEP team ensure the Student has access to the general curriculum and the opportunity to make progress toward grade-level standards. Removing SDI in an area where the Student continued to demonstrate need is inconsistent with IDEA's requirement that services be aligned to the Student's documented needs and designed to enable progress.

The Student's limited progress in English coursework, continued reliance on reading-related accommodations, documented executive functioning needs, and the District's own acknowledgment that the Student required Math SDI collectively indicate that the Student continued to require SDI in Language Arts. The record does not show that the Student's

performance, accommodations usage, or disability-related needs had improved to the point that SDI was no longer required.

The Parents attended the meeting, provided input, and signed the IEP acknowledging participation. The Parents reported that they did not realize Language Arts SDI had been removed until reviewing the finalized IEP. While this does not establish predetermination, it does indicate that the discussion surrounding removal of Language Arts SDI may not have been sufficiently clear or thorough to support an informed team decision. IDEA requires that parents be afforded meaningful participation in decisions regarding services, and the record does not demonstrate that the team clearly explained the rationale for removing SDI in an area where the Student continued to demonstrate need.

Based on the evidence, the decision to remove Language Arts SDI is not adequately supported. The Student continued to need reading and written-language support as documented by accommodations, creating a discrepancy between the Student's documented needs and the services included in the IEP. This inconsistency warrants review by the IEP team to ensure the IEP accurately reflects the Student's needs and provides the services necessary for the Student to make progress toward grade-level expectations and graduation requirements.

The Department substantiates this allegation.

Parent Participation

The Complaint alleges that the District did not ensure the Parents' participation in decisions that resulted in a reduction of the Student's services following a disciplinary removal. Specifically, the Complaint asserts that the District made changes to the level of support provided such as direct instruction, small-group instruction, and access to a special education teacher without including the Parent in the decision-making process as required under the IDEA.

Under OAR 581-015-2190 and 34 CFR §300.501, parents must be afforded meaningful participation in decisions regarding identification, evaluation, placement, and provision of FAPE.

The Parents allege that the District did not ensure their participation in decisions affecting the Student's services. The District response record shows notice of an IEP meeting for 03/11/26 was provided on 01/30/26. Both Parents attended the meeting, provided written and verbal input, and participated in discussion of goals and services. The record shows that the District communicated with the Parents throughout the disciplinary process. The MDR was scheduled for 01/30/26, and the District provided notice of the meeting on 01/29/26. The Parents attended the MDR and provided input.

The District documented the Parents' concerns in the 01/30/26 MDR notes and in the 03/11/26, IEP meeting notes. The IDEA requires that parent concerns be considered by the team, and the record reflects that the District did so. The Parents expressed disagreement with

the disciplinary consequences and raised concerns about the impact of the placement on the Student's learning needs. The District recorded these concerns and responded within the scope of the MDR and IEP processes.

Although the Parents disagreed with the disciplinary placement outcome, disagreement with a disciplinary decision does not, by itself, establish a violation of parent participation requirements under IDEA. The disciplinary consequences were reviewed through the expulsion hearing process, upheld by the Hearing Officer, and later affirmed by the School Board. The due process afforded through the disciplinary system does not fall under IDEA's parent participation requirements, and the record does not show that the District prevented the Parents from expressing their views or participating in the special education decision-making process. The communication timeline reflects timely notice, responsive communication, and active parent and student participation. The evidence does not show that the District excluded the Parents from decision-making or prevented meaningful participation.

The Department does not substantiate this allegation

Free Appropriate Public Education (Denial of FAPE)

Due to the alleged IDEA violations detailed above, the Complaint alleges that the District failed to provide the Student with a free appropriate public education.

Under OAR 581-015-2040 and 34 CFR §300.101, a district must provide a free appropriate public education by ensuring that the IEP is implemented, placement is appropriate, the IEP accurately reflects required services, and parents participate in decision-making.

The Parents allege that the cumulative effect of the District's actions resulted in a denial of FAPE. Because the underlying allegations regarding IEP implementation, placement, IEP content, and parent participation are not substantiated, there is no cumulative basis for a denial of FAPE under IDEA.

The record reflects that the Student earned credits, completed coursework, and made academic progress during the disciplinary removal. The Student received specially designed instruction through the Bridges PM program, had access to a certified special education teacher, and maintained progress sufficient for the District to move forward with the Enrollment Contract (EC). The EC required evidence of satisfactory attendance, grades, and behavior, and the Student met these criteria. These outcomes demonstrate that the Student continued to receive the individualized instruction and access to curriculum required under IDEA.

Although written documentation of progress in the Bridges PM program was limited to confirmation of a phone call between the special education teacher and the Parent, the absence of written progress records does not, by itself, establish a failure to implement the IEP. IDEA does not require districts to maintain minute-by-minute service logs or written progress

summaries unless the IEP explicitly requires such documentation. The evidence available shows the Student made academic progress, received SDI, and had access to special education personnel throughout the disciplinary removal. Accordingly, the record does not support the finding that the Student was denied FAPE.

The Department does not substantiate this allegation

V. CORRECTIVE ACTION[3]

In the Matter of Grants Pass SD 7 *Case No.* 26-054-038

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

Action Required	Submissions	As Soon As Possible But No Later Than Due Date
Reconvene the IEP Team to Review Present Levels and SDI Needs • The District must convene the IEP team to review the Student's current English Language Arts performance, progress data, and disability-related needs, including credit recovery requirements for ELA 10. • The team must determine whether SDI in Language Arts is required and revise the IEP accordingly. • The District must ensure that any addition, removal, or modification of SDI is supported by documented data (progress, assessments, accommodations usage, present levels).	The District shall submit to the ODE the following: Documentation of IEP meeting and update to IEP.	10/15/2026

[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)).

• The revised IEP must include clear justification for SDI decisions, consistent with IDEA and OAR requirements. • If the IEP team determines that Language Arts SDI should not have been removed, the District must calculate missed SDI minutes and provide compensatory SDI in reading/written expression.		

Dated: this 20th Day of July 2026



Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: July 20, 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 581-015-203).