BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Sisters School District 6	))))	FINDINGS OF FACT, CONCLUSIONS, AND FINAL ORDER Case No. 26-054-051

I. BACKGROUND

On April 17, 2026, the Oregon Department of Education (the Department) received a written request for a special education complaint (Complaint) from the parent (Parent) of a student (Student) who attends school in the Sisters School District (District). The Parent requested that 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 to engage in mediation or local resolution or for exceptional circumstances related to the complaint.[2]

On April 29, 2026, the Department's Complaint Investigator sent a *Request for Response (RFR)* to the District identifying specific allegations in the Complaint to be investigated and establishing a *Response* due date of May 13, 2026. On May 13, 2026, the District submitted a *Response*, disputing the allegations described in the Complaint. The District submitted the following relevant items:

1. District's Narrative Response, 4/29/26
2. Letter to Parent from District regarding Parent withdrawal, 4/13/26
3. Prior Written Notice (PWN), 4/13/26
4. IEP Meeting Attendance Sheet, 3/10/26
5. IEP Team Meeting Notes, 3/10/26
6. IEP, 3/10/26
7. Correspondence from Parent to District, 3/12/26
8. Student's prescription on file with school nurse, undated
9. Reintegration Synchronous Plan for Safety- Weeks of March 30-May 1, 2026 (Four Weeks), undated
10. Manifestation Determination Review (MDR) Notes, 3/10/26
11. Student's Positive Behavior Support Plan (BSP), 12/9/25

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

12. IEP Meeting Attendance and Summary Sheet, 12/9/25
13. Three Year Re-Evaluation Report for Student, 5/28/25
14. IEP, 5/28/25
15. IEP Progress Report, 3/13/26
16. IEP Team Meeting Notice, 5/21/25
17. Eligibility Summary Statement, 5/28/25
18. Disability Statement, 5/28/25
19. Special Education Placement Determination, 5/28/25
20. Prior Written Notice, 5/28/25
21. Parent Consent for Evaluation, 2/26/25
22. Notice of IEP team meeting, 5/5/25
23. Neuropsychological Report for Student dated 12/11/24[3]
24. Threat Assessment form for Student 3/6/26
25. Email and Text messages between Parent and District Staff from the 2025-2026 school year
26. Disciplinary notes for the Student from September 2024-Present
27. Disciplinary meeting notes for the Student, 2/9/26
28. Suspension incident notes, 3/5/26
29. Family Notification of School Discipline form, 10/23/25
30. Disciplinary and Reentry notes from May 2024[4]
31. Student MDR Meeting Notes, 3/10/26
32. Student Behavior Tracking Document, October 2024[5]
33. Student's Individual Student Safety Plan, 8th Grade Year
34. IEP Meeting Notes and Summary, 10/2/24
35. The Student's Functional Behavior Assessment (FBA), 10/10/24
36. Evaluation Planning Meeting Attendance, 2/26/25
37. Meeting Attendance Sheet, 5/28/25
38. Eligibility Statement, 5/28/25
39. Abbreviated School Day Letter and Notice, 5/28/25
40. Parent Consent for Evaluation, 2/26/5
41. Speech and Language Assessment Summary, 4/21/25

On May 25, 2026 and June 5, 2026, the Parent sent emails to the Department with additional information. On June 5, 2026, the Department's Complaint Investigator interviewed the Parent and provided the opportunity for the Parent to provide additional information. On June 5, 2026, the Department's Complaint Investigator interviewed the District's Special Education Director/Director of Student Services and the Student's Special Education Teacher/IEP Case Manager. The District provided additional information after the interviews, via email messages, received on June 4, 2026 and June 5, 2026. The Complaint Investigator reviewed and

[3] Note, this document falls outside of the one year look back period allowed for IDEA complaints as set forth in OAR 581-015-2030, but the District included the documents, which were reviewed only for contextual information, for the timeframe at issue.
[4] *Id.*
[5] *Id.*

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 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 April 18, 2025, to the filing of this Complaint on April 17, 2026.

Allegations	Conclusions
Parent Participation The Complaint alleged that the District violated the IDEA by predetermining the Student's change of placement at a manifestation determination review (MDR) meeting that was held on March 10, 2026. (OAR 581-015-2220; OAR 581-015-2415; 34 CFR § 303.323 & 34 CFR § 300.530)	**Not Substantiated** The record supports that the District worked with the Parent during the MDR meeting in March of 2026 and listened to the Parent's suggestions and input but ultimately offered a nonpreferred placement for the Student to safely reenter the high school setting. While the District admitted they did meet internally, prior to the MDR, in order to discuss safe placement options and return and reentry plans for the Student, there is no evidence that the placement was fully decided upon at that time.
Free Appropriate Public Education (FAPE) The Complaint alleged that the District violated the IDEA when it failed to provide the Student with a free appropriate public education (FAPE) by removing the Student from school for 17 days of suspension from October 2025-March 2026, without reviewing or revising the Student's Behavior Intervention Plan (BIP). (OAR 581-015-2040 and 581-015-2405; 34 CFR 300.101)	**Not Substantiated** The evidence does not support that the Student was removed from school for greater than 10 school days from October 2025-March 2026. Regardless, the record does show that the Student's IEP team met to review the BIP in December of 2025, prior to the March 2026 incident which resulted in the

	Student's longest suspension of the school year.
Least Restrictive Environment The Complaint alleged that the District placed the Student in an overly restrictive environment for the 2024-2025 school year, when the Student was placed in a self-contained placement with no peer interaction and again from March 2026-Present when the Student was placed in a self-contained placement consisting of some home based online instruction and some in-person instruction at the administrative offices, with no peer interaction. (OAR 581-015-2240 and 34 CFR § 300. 114)	**Not Substantiated** The District worked with the Parent to ensure that the Student was safe at school, though they sometimes required placement away from peers due to unsafe behaviors, discipline, behavioral challenges and substantiated bullying of a classmate during the 2024-2025 school year.
Implementation of the Individual Education Program (IEP) The Complaint alleged that the District failed to implement the Behavior Intervention Plan (BIP)[6] as required by the IEP in effect during the 2025-2026 school year, which resulted in student discipline and behavioral issues. (OAR 581-015-2220; 34 C.F.R. § 300.323)	**Not Substantiated** There is not adequate evidence to demonstrate that the District failed to follow the BIP during the March 2026 behavioral incident, nor evidence of any other failure to implement the BIP during the 2025-2026 school year.

REQUESTED CORRECTIVE ACTION
The Parent requests that the District: • Reverse the Change of Placement proposed and enforce the Student's right to "Stay Put" while complaints are under investigation. • Conduct an independent educational evaluation (IEE) to determine the cause of adverse Student behaviors and educational support for staff training to alert them to the behaviors and triggers associated with the Student's disability. • Revise the Student's IEP to align with updated FBA and BIP data and implement the revised IEP with fidelity.

[6] Alternatively referred to as a Behavior Support Plan (BSP)

- Provide Extended School Year (ESY) services for Compensatory Education to make up for any missed hours of instruction and services during the time at issue.
- Address student misconduct in a positive, fair and unbiased manner and allow for the Students' side of the story to be heard. Ensure the Educational leaders act ethically and professionally to allow for meaningful engagement of families and community.

III. FINDINGS OF FACT

1. The Student is a 9th grade student who resides in the District, and the Student was most recently enrolled in a District high school.

2. The District and the Parent both reported that the Student attended a District middle school for their 8th grade year, which was the 2024-2025 school year and that the Student had numerous behavioral issues at that time.

3. In October 2024, the District received a complaint from another student's Parent that alleged that the Student was bullying their child in the special education classroom. [7] The District investigated this complaint in October 2024, following its bullying policies and procedures and substantiated the claim, finding that the Student was bullying the other student in the life skills classroom. To address the bullying, the District decided the two students should be separated, as a safety plan and to ensure there was no more bullying in the life skills classroom. This required the Student to receive their specially designed instruction (SDI) in a different area from the targeted student (who was also placed in the only life skills classroom). The Student was still allowed to have lunch, break, and passing time with other middle school students. The Student's schedule was adjusted so that they would not have overlapping scheduled times with the other child. This was the Student's placement through the end of the 2024-2025 school year.

4. In October 2024, the District also completed a Functional Behavioral Assessment (FBA) of the Student. This FBA noted that the Student engaged in unsafe behaviors including: pushing, punching, kicking, eloping, posturing in extremely close proximity to others, finger pointing, and physical boundary violations, passive and verbal refusals, verbal threats including cursing at elevated volumes within the educational environment, participating in explicitly forbidden activities (like filming other students using the restroom), and throwing materials and supplies in the classroom. As a result, the District developed a safety plan and a behavior support plan (BSP) for the Student in October of 2024.

5. The District reported that during the 2024-2025 school year, the Student had 16 recorded behavioral incidents, including numerous incidents of physical aggression toward other

[7] Due to the statutory requirements for IDEA state complaints, the only allegations considered during the 2024-2025 school year were from April 17, 2025 though the end of the 2024-2025 school year. Any information preceding April 17, 2025 is offered for contextual value only.

students and staff.

6. For the 2025-2026 school year, the Student transitioned to the High School where they continued to receive instruction and services in a Life Skills classroom. They were placed with general education peers at lunch and at breaks.

7. On October 29, 2025 a District administrator wrote to the Parent subsequent to the Student's suspension for having a knife at school in their sweatshirt, and noted that "Moving forward, we need to make sure [the Student] does not have any weapons on [them], this includes [their] own, or if someone gives [them] one. ..If [they do] accidentally show up with something, [the Student] needs to come to the office to turn it in immediately…I have also talked with [the Student and another student] and right now they are not a good fit for each other…[the Student] spent a few periods in the office with us a few weeks back over two days. One was for attempting to punch another student during a project unity game. The other was for swearing at a teacher…Today [the Student] spent the day with us in the office. Like we talked about on the phone, this is not a seclusion room. We have a door open, I have a room that looks into it… [they have] been given some tasks to help us out … in the front office."

8. On December 9, 2025 the District completed a Positive BSP for the Student. The BSP notes that the Parent participated in the meeting. It notes the District will teach the Student positive response training and replacement behavior and language. The BSP notes the Student receives home support from a mentor and from a county behavioral support worker. The BSP notes that staff should use "If/Then (Staff Responses for Desired Problems and Behaviors)- if the Student will not take a break, follow staff directions, maintain a safe body and words, or will not stay in expected location, then they will report to the office for consequences…If safety is not a concern, then they will receive lunch detention. Other consequences as determined by severity of behavior and/or actions. The BSP notes restorative responses to use with the Student and notes the team would meet again on February 28, 2026 to review the Student's tracked data to discuss and understand their long-term behaviors. Before February 2026, the team was to check in with the Parent and discuss other steps. The BSP notes that the Student has challenges with peer and adult interaction, difficulty with non-preferred task demand, and difficulty with sensory overload and processing speed. The priority goals identified in the BSP include following adult directions using a 0-3 scale, having a safe body and safe language using a 0-3 scale, and staying in the expected area with an expected outcome. The BSP notes that staff should work to build relationships with the Student, increase predictability for the Student (including prewarning of schedule changes and a daily/weekly schedule); embed regulation routines; and to decrease demands as data suggests. The BSP also notes that the Student will participate in small group instruction for social emotional learning.

9. On May 27, 2025 the Parent, District, and an outside IEP Facilitator emailed to plan the Student's May 28, 2025 IEP meeting. In an email from the Parent to the Facilitator, the Facilitator noted, "…We will also review the behavior support plan to make sure the

information, and techniques are accurate and appropriate for the high school setting."

10. The Student's IEP team met for the Student's annual review on May 28, 2025. At this time, the District identified multiple related services, supports, and accommodations to support the Student at school. The District further reported the IEP team discussed the Student's behavior and transition to high school at this meeting.

11. On October 13, 2026 the Student received discipline for an act of physical aggression, disrespect, and using a racial slur during a unified sports game against another school. The Student threw a punch at a different student, called another student a "f-ing r-tard" and used the "n word" all within a 30-minute period of time. They were asked to leave the game and then returned about fifteen minutes later.

12. On October 23, 2026, the Student was found to be in possession of a pocketknife during the school day. The pocketknife was found by a teacher who saw it fall out of the Student's sweatshirt, as the teacher was giving the sweatshirt to the Student.

13. On January 23, 2026, while climbing behind the bleachers in PE (looking for a ball), the Student yelled the "N word". This was not directed at a student or staff; they just yelled it.

14. On February 23, 2026 the Student was in the restroom and took their phone out to film another student in the bathroom. This was the second occasion this had happened. The District was made aware of the first occasion, after speaking with the Parent.

15. Sometime in late February of 2026, the Student took an Exacto blade from their shop class and self-reported this to the front office.

16. On March 1, 2026 an off-campus event happened in the community, during which the Student stabbed another student. Police are investigating that incident and there are related criminal proceedings outside of school for the Student.

17. On March 5, 2026, the District told the Student they were not allowed to attend a field trip to an animal sanctuary, due to their recent unsafe behaviors on the bus. The notes from the incident show that the Student began screaming and cursing at their teacher and blocked the teacher's exit from their office (where they had contained the teacher). The notes report that the teacher was afraid of the Student and had to bang on the class window to signal other students to go and get help to release them from the office. The teacher reported that they were afraid the Student was going to physically harm them during the incident. Another staff member came to help the teacher exit their office, and to assist with deescalating the Student. The Student's brother also came to help. The notes indicate the Parent was contacted and a sheriff escorted the Student home after this incident.

18. The District reported that it was following the Student's BSP when it refused to allow them to use the bus to access the field trip, in light of their recent unsafe behaviors on the bus.

The District reported that the adverse bus behaviors were recent, so this denial of the field trip was a 1:1 consequence for adverse behaviors as required by the BSP.

19. The Parent reported that they believed the sudden schedule change on March 5th, and the abrupt removal of the field trip from the schedule, was dysregulating to the Student, so this was highly triggering to them, as they are known to have a hard time with schedule changes.

20. On March 5, 2026 a knife was reported missing from the Student's shop class. Another student reported that the Student had taken the knife.

21. On March 5, 2026, the Student was suspended from school, and a manifestation determination review (MDR) meeting was scheduled for March 10, 2026. The District reported that on March 6, 2026 the Student was on their sixth day of disciplinary removals for the year. The District further reported that March 10, 2026 was the ninth day of school removals for the Student for the school year, so the MDR was held on that date.

22. On March 6, 2026 a District administrator wrote to the Parent and noted a "summary of what we are working on that connects to the reason for [the Student] being out:"

    - The incident from yesterday involving the Student asking a teacher about a field trip. When they were told that they would not be going, they used several profane words to refer to the teacher. When the teacher went to their classroom to write a referral, the Student followed them into the office, slammed the door, and prevented them from leaving for a brief period of time. Once that situation resolved, the Student checked into the office but refused to follow staff directives and used profanity when addressing various staff members.
    - We are investigating a report that the Student stole a knife from wood shop last week.
    - We are investigating an alleged threat the Student made to another student a couple of weeks ago.

    In this email, the administrator also noted that the school initiated a level one threat assessment for the Student on March 5, 2026. The administrator noted that the Parent would be interviewed as part of the threat assessment process. The administrator noted that the Student could not be at school while the threat assessment was being conducted. The email also notified the Parent of the upcoming MDR meeting for the Student.

23. On March 6, 2026 the Parent emailed the District and stated that they did not agree that the Student had the intent to harm anyone, so they would not participate in interviews for the threat assessment. In the message, they stated the District could use information in their email messages for the threat assessment. The same day, the Parent had previously emailed the District that they did not believe that a threat assessment was needed for the

Student following the March 5th incident. They also reported that they asked the Student if they had taken a knife at school and the Student said, "no way." In the message, the Parent noted that they believed the March 5th incident was caused by exclusionary practices that dysregulated the Student's nervous system and the presence of substitute staff that made the Student feel uncertain.

24. On March 7, 2026 the District sent the Parent the Student's attendance records related to disciplinary actions from October 15, 2025 through February 26, 2026. This email showed that during this timeframe the Student missed the following days of school: 10/15/25- missed one period; 10/27/25- 3 days (2 out-of-school suspension/ 1 in-school suspension); 12/12/25- missed two periods; 2/2/26- missed one period; 2/4/26-2/6/26- three days missed (out-of-school suspension); 2/9/2026- missed one period; 2/25/26 missed three periods; 2/26/26 one day in-school suspension.

25. During interviews, the District reported that while the Student was at school and receiving in-school-suspensions, they were given all of their IEP special education services.

26. On March 10, 2026 the District held an MDR for the Student. This was to discuss the Student's recent discipline and the March 5th incident. The District reported that at that time, the team decided the behaviors were related to the Student's disability and that the Student needed a change of placement to accommodate a four-week reintegration safety plan to safely transition the Student back to the high school. The District further reported that the March 5th incident was very traumatic for the Student's teacher and classmates, who had witnessed the incident.

27. The District reported that during the March 10th MDR it proposed a reentry program for the Student, that would last for four weeks, and which would consist of synchronous online instruction (special education) with District staff and social, emotional, and behavioral learning with an adult staff member in the District's administrative offices. The District reported this was short-term and needed to "stabilize [the Student's] behaviors and safety threats that [they] posed to others [in the school setting]." It included a team meeting in four weeks to review the Student's progress and circumstances and to plan for [their] reintegration to the high school environment."

28. The District reported that immediately after sharing this placement option the Parent became angry and stated that the Student would be returning to their regular high school setting immediately. The District further alleged that the Parent abruptly left the MDR at this time, so the full placement discussion was not completed. The District reported they were able to finish the MDR meeting before the Parent left.

29. On March 12, 2026, the Parent informed the District that the Student would not be returning to school for the rest of the year. The Student was dropped from the High School's' enrollment after missing more than 10 days of school.

30. Prior Written Notice (PWN) dated April 13, 2026 states that the District proposed to discontinue special education services for the Student due to the Student's withdrawal from the District. The PWN notes the District cannot provide Special Education services to the Student, as the Student is not enrolled.

31. On April 17, 2026, the Parent filed this Complaint.

IV. DISCUSSION

Parent Participation

It is alleged that the District violated the IDEA by predetermining the Student's change of placement at an MDR meeting that was held on March 10, 2026.

The applicable Oregon rule found at OAR 581-015-2415 provides that a school district may remove a student with a disability for disciplinary reasons, but removals that exceed 10 consecutive school days or discipline that constitute a pattern of removals totaling more than 10 school days in a school year, are considered a change of placement. When a change of placement occurs, the district must provide the procedural protections required by IDEA, including conducting a manifestation determination review within 10 school days of the disciplinary decision. The review must determine whether the conduct was caused by, or had a direct and substantial relationship to, the student's disability, or resulted from the district's failure to implement the student's IEP. Regardless of the outcome, the district must continue to provide educational services that enable the student to participate in the general education curriculum and make progress toward meeting the student's IEP goals.

Additionally, under 34 C.F.R. § 300.530, parents have the right to participate meaningfully in disciplinary decisions affecting their child with a disability when those decisions result in a change of placement. When a disciplinary removal exceeds 10 consecutive school days or constitutes a pattern of removals, the school district must convene a manifestation determination review and must include the parent as a member of the decision-making team. The parent has the right to provide information regarding the child's disability, educational history, and circumstances surrounding the conduct at issue. The district must also promptly notify the parent of any decision to remove the student for disciplinary reasons and provide a copy of the procedural safeguards notice. These protections ensure that parents have an opportunity to participate in decisions that may affect their child's educational placement, services, and right to a Free Appropriate Public Education (FAPE).

In this case, the District's documents show that the Parent was included in the Student's MDR. The District listened to the Parent's input and was allowed to provide information about the circumstances leading up to the March 5th incident. The District ultimately disagreed with the Parent on the Student's potential risk to others and the need to change the Student's placement for an interim period for safe reentry into the high school. Due to this disagreement, the Parent chose to leave the MDR before other placement options were discussed or explored

as a team. Overall, the record shows the District discussed at least two placement options at the meeting (the District's initial offer and the Parent's preferred option to return to the high school immediately) and included the Parent in the MDR meeting and discussions.

The Department does not substantiate this allegation.

Free Appropriate Public Education (Denial of FAPE)

It is alleged that the District failed to provide the Student with a FAPE by removing the Student from school for 17 days of suspension from October 2025-March 2026, without reviewing or revising the Student's Behavior Intervention Plan (BIP).

School districts must provide FAPE to all school-age children with disabilities for whom the district is responsible.[8] Procedural violations may only lead to finding that a child did not receive a FAPE if they: "(I) impeded the child's right to a free appropriate public education; (II) significantly impeded the parents' opportunity to participate in the decision making process regarding the provision of a free appropriate public education to the parents' child, or (III) caused a deprivation of educational benefits."[9] In determining whether a student was denied a FAPE, courts review a district's compliance with both the procedural and substantive components of the Student's education. Reviewing courts must inquire whether the school district complied with the procedural requirements of the IEP, and whether the school district met the substantive requirements to develop an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances.[10]

Under the Individuals with Disabilities Education Act (IDEA), students with disabilities who are suspended for more than 10 cumulative school days in a school year retain their right to a FAPE.[11] Once a suspension exceeds 10 school days, the school district must continue providing educational services that enable the student to participate in the general education curriculum and make progress toward meeting the goals outlined in the student's IEP. Additionally, if the suspension constitutes a disciplinary change of placement, the district must conduct a manifestation determination review to determine whether the behavior was caused by, or had a direct and substantial relationship to, the student's disability or resulted from the district's failure to implement the student's IEP. These protections help ensure that students with disabilities are not denied access to education because of disciplinary actions.

In this case, disciplinary records show that, for the 2025-26 school year, the Student was removed from school for disciplinary reasons for ten school days as of March 11, 2026. The District promptly convened an MDR meeting on March 10, 2026 to review the Student's discipline related to the March 5, 2026 behavioral incident. On March 12, 2026, the Parent

[8] OAR 581-015-2040
[9] 20 USD § 1415(f)(3)(E)(ii)
[10] *Endrew F.*, 137 S. Ct. at 999.
[11] 34 C.F.R. § 530(d) and (e)

withdrew the Student from school. In addition, the IEP team met in December 2025 to revise the Student's BSP and discuss their behavioral needs.

The Department does not substantiate this allegation.

Least Restrictive Environment

It was alleged that the District placed the Student in an overly restrictive environment for the 2024-2025 school year, when the Student was placed in a self- contained placement with no peer interaction and again from March 2026-Present when Student was placed in a self-contained placement consisting of some home-based online instruction and some in-person instruction at the administrative offices, with no peer interaction.

Under OAR 581-015-2240, school districts must ensure that students with disabilities are educated with their nondisabled peers to the maximum extent appropriate to their individual needs. The rule requires that removal from the regular educational environment through special classes, separate schooling, or other restrictive placements occur only when the nature or severity of the student's disability is such that education in the regular classroom, even with the use of supplementary aids and services, cannot be achieved satisfactorily.

Additionally, in determining if a placement violates a child's LRE, courts in the 9th Circuit have adopted a test using four factors: the educational benefits of placing the student in a full-time regular education program; the non-academic benefits of such a placement; the effect that the child would have on the teacher, and other students in the regular classroom; and the costs associated with the placement.

In this case, the District is small and has limited placement options for the Student. There was also ample evidence to support the fact that the Student posed an imminent risk to the safety of staff and/or other students. The District's proposed transition plan was only scheduled for four weeks and was a time to finish the Student's risk assessment and ensure a safe transition back to the high school for the Student, their peers, and the teacher. The District continued to offer the Student all of their specially designed instruction and related services during this timeframe. Finally, due to the Student's withdrawal from school, the proposed interim placement from the March 10, 2026 MDR was never implemented by the District.

The Department does not substantiate this allegation.

Implementation of the IEP

It was alleged that the District violated the IDEA when it failed to implement the Behavior Intervention Plan (BIP) as required by the IEP that was in effect during the 2025-2026 school year, which resulted in student discipline and behavioral issues.

At the beginning of each school year, a school district must have in effect an IEP for each child with a disability within the district's jurisdiction. School districts must provide special education and related services to a child with a disability in accordance with an IEP. Each teacher and service provider described in the IEP must be informed of their specific responsibilities for implementing the child's IEP and the specific accommodations, modifications and supports that must be provided for or on behalf of the child in accordance with the IEP.[12] The Oregon rule found at

In this case, the District had an IEP in effect at the start of the 2025-2026 school year for the Student. While the Student had many behavioral challenges during the school year, there is no specific evidence that District failed to comply with the Student's IEP or the BSP. The antecedent to the Student's behavioral incident with his teacher on March 5, 2026 was denial of a field trip as a consequence for the Student's recent behaviors. This consequence was not prohibited by either the BSP or the IEP in effect at the time.

The Department does not substantiate the allegation.

Dated: this 16 Day of June 2026



Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: June 16, 2026

Appeal Rights: Partied 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 provision of ORS § 183.484. (OAR 581-015-2030 (14).)

[12] OAR 581-015-2230(1)—(3)