BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Knappa School District 4	))))	FINDINGS OF FACT, CONCLUSIONS, AND FINAL ORDER Case No. 26-054-059

I. BACKGROUND

On May 8, 2026, the Oregon Department of Education (Department) received a written special education complaint (Complaint) from the parent (Parent or Complainant) of a student (Student) residing in the Knappa School District (District). The Complaint requested that the Department conduct a special education investigation under OAR 581-015-2030. The Department confirmed receipt of the Complaint and forwarded the request to the District.

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

On May 22, 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 June 5, 2026.

The District submitted a *Response* on June 12, 2026, denying the allegations, providing an explanation, and submitting documents in support of the District's position. The District submitted the following relevant items:

1. Email Dated 3-22-2022
2. Letter Dated 3-28-2022
3. Email Dated 4-29-2026
4. Prior Notice of Special Education Action Dated 4-30-2026
5. Email Dated 4-30-2026
6. Email Dated 6-11-2026
7. Notice of Team Meeting Dated 5-11-26
8. Daily Attendance Totals
9. Student Discipline Profile 2024-2025 School Year

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

10. School District Meeting Minutes Dated 4-25-2026
11. SST Committee Notes
12. Report Cards for 2023-2024, 2024-2025, 2025-2026 School Years
13. Prior Notice for Evaluation Dated 5-13-2026
14. Disciplinary Records
15. Attendance Records
16. Diagnostic Results
17. Letter From the Parent Dated 3-14-2022
18. Email Dated 3-15-2022
19. Investigation Response

The Parent submitted documents in support of their Complaint on May 15, May 21, May 24, June 3, and June 22, 2026. In all, the Parent submitted the following relevant items:

1. Document Titled 51826
2. ODE Documents
3. ODE Documents 2
4. ODE Documents 3
5. ODE Documents 4
6. ODE Documents 5
7. Document Titled "10 Day Drop Lies"
8. 2025 Green Referrals
9. 2026 Green Referrals
10. Attendance 3
11. Email Titled "Master Evidence Log Transmission"
12. Document Titled 5_18_26 2
13. Document Titled "10 Day Drop Lies"
14. 2024 Green Referrals
15. 2025 Green Referrals *Duplicative*
16. 2026 Green Referrals *Duplicative*
17. Attendance 3 (1)
18. Attendance 3
19. Email Correspondence 3
20. Email Titled "Master Evidence Log Transmission"
21. Grades 2
22. Meeting Minutes 2
23. ODE Documents 2 (1) *Duplicative*
24. ODE Documents 3 (1) *Duplicative*
25. Phone Records Feb 26-Apr 26
26. School Direct Messages 2
27. Superintendent level two letter
28. Meeting Minutes 2 *Duplicative*
29. Supplemental Compliance Submission
30. Occupational Therapy Sensory Processing Report
31. Office Referral Dated 1-8-2024

32. Office Referral Dated 1-10-2024
33. Office Referral Dated 1-18-2024
34. Office Referral Dated 4-17-2024
35. Office Referral Dated 4-25-2024
36. Office Referral Dated 9-24-2024
37. Office Referral Dated 10-8-2024
38. Office Referral Dated 10-24-2024
39. Message Dated 10-28-2024
40. Office Referral Dated 11-18-2024
41. Office Referral Dated 12-19-2024
42. Office Referral Dated 2-12-2025
43. Office Referral Dated 4-18-2025
44. Office Referral Dated4-21-2025
45. Short Term Suspension Form Dated 4-21-2025
46. Office Referral Dated 5-29-2025
47. Office Referral Dated 9-11-2025
48. Office Referral Dated 9-19-2025
49. Office Referral Dated 1-6-2026
50. Office Referral Dated 2-20-2026
51. Office Referral Dated 3-10-2026
52. Office Referral Dated 3-31-2026
53. Office Referral Dated 4-2-2026
54. Green Referrals Total List
55. Phone Bill Dated 6-8-2024 – 7-7-2024
56. Phone Bill Dated 7-8-2024 – 8-7-2024
57. Phone Bill Dated 8-7-2024 – 9-7-2024
58. Phone Bill Dated 9-8-2024 – 10-7-2024
59. Phone Bill Dated 10-8-2024 – 11-7-2024
60. Phone Bill Dated 11-8-2024 – 12-7-2024
61. Phone Bill Dated 12-8-2024 – 1-7-2025
62. Phone Bill Dated 1-8-2025 – 2-7-2025
63. Phone Bill Dated 2-8-2025 – 3-7-2025
64. Phone Bill Dated 3-8-2025 – 4-7-2025
65. Phone Bill Dated 4-8-2025 – 5-7-2025
66. Phone Bill Dated 5-8-2025 – 6-7-2025
67. Phone Bill Dated 6-8-2025 – 7-7-2025
68. Phone Bill Dated 7-8-2025 – 8-7-2025
69. Parent Rebuttal Brief Dated 6-22-2026

On June 18 and 22, 2026, the Complaint Investigator interviewed the Parent and District staff. Virtual and telephone interviews were conducted instead of on-site interviews. The Complaint Investigator reviewed and considered all these documents, interviews, and exhibits in reaching the findings of fact and conclusions of law contained in this order. This order is timely.

II. ALLEGATIONS AND CONCLUSIONS

The Department has jurisdiction to resolve this Complaint under 34 CFR §§ 300.151-153 and OAR 581-015-2030. The 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 May 9, 2026 to the filing of the Complaint on May 8, 2026.

Allegations	Conclusions
Evaluation and Reevaluation Requirements The Complaint alleged that the District violated the IDEA when the District failed to evaluate the Student for an Emotional Behavior Disability. (OAR 581-015-2080; OAR 581-015-2145; 34 CFR § 300.111; 34 CFR § 300.8(c)(4))	**Not Substantiated** On March 28, 2022, the Complainant revoked their consent for special education services. While the Student did have some failing grades, the District attributed those to the Student's excessive absences. When the Complainant requested special education testing on April 29, 2026 asserting the Student had Autism and PTSD, the District agreed to conduct an evaluation. The Complainant signed consent for the evaluation on May 19, 2026.
Access to Student Education Records The Complaint alleged that the District violated the IDEA when it failed to provide the Parent with access to the Student's 2025-2026 education records prior to meetings. (OAR 581-015-2300; 34 CFR § 300.501 & 34 CFR §303.405(a)	**Not Substantiated** On March 28, 2022, the Complainant revoked consent for special education services. Pursuant to 34 CFR 300.300(b)(4), the Student was no longer entitled to the rights and protections afforded under the IDEA related to education records.
Prior Written Notice (PWN) The Complaint alleged that the District violated the IDEA by not providing the Parent with prior written notice (PWN) prior to providing one-to-one supervision.	**Not Substantiated** On March 28, 2022, the Complainant revoked consent for special education services.

Allegations	Conclusions
(OAR 581-015-2310; 34 CFR §300.503)	Pursuant to 34 CFR 300.300(b)(4), the Student was no longer entitled to the rights and protections afforded under the IDEA related to PWN.
Parent Participation The Complaint alleged that the District violated the IDEA by denying meaningful parent participation in meetings. (OAR 581-015-2190(1); 34 CFR §300.501(b))	**Not Substantiated** On March 28, 2022, the Complainant revoked consent for special education services. Pursuant to 34 CFR 300.300(b)(4), the Student was no longer entitled to the rights and protections afforded under the IDEA related to parent participation.
Disciplinary Removals of More than 10 School Days (Pattern or Consecutive) The Complaint alleged that the District violated the IDEA by systematic disciplinary removals from instruction. (OAR 581-015-2415; 34 CFR § 300.530)	**Not Substantiated** On March 28, 2022, the Complainant revoked consent for special education services. Pursuant to 34 CFR 300.300(b)(4), the Student was no longer entitled to the rights and protections afforded under the IDEA related to disciplinary removals.
Denial of FAPE Due to the alleged IDEA violations detailed above, the Complaint alleged that the District failed to provide the Student with a free appropriate public education (FAPE). (OAR 581-015-2040; 34 CFR §300.101)	**Not Substantiated** On March 28, 2022, the Complainant revoked consent for special education services. Pursuant to 34 CFR 300.300(b)(4), the Student was no longer entitled to the rights and protections afforded under the IDEA related to the provision of a FAPE.

REQUESTED CORRECTIVE ACTIONS
The Complainant requests: 1. The District must immediately reverse the fraudulent unenrollment and fund private, out-of-district compensatory tutoring to repair the academic damage caused by their 0% grade tampering and structural coursework delays. 2. The District must fund a comprehensive independent educational evaluation (IEE) conducted by an outside psychologist over the Summer 2026 break, ensuring an appropriate IEP/504 placement is finalized prior to Day 1 of high school. 3. The District must receive mandatory, verified training for the Superintendent, Principal, and the Student's teacher regarding Title VI civil rights, FERPA compliance, and proper manifestation.

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 May 9, 2025. Any facts listed below relating to circumstances or incidents earlier than that date are included solely to provide context necessary to understand the Student's disability and special education history.

1. The Student enrolled in the District as a 5th grader in 2022.

2. Prior to attending the District, the Student was enrolled in another school district (Previous District).

3. By email dated March 28, 2022, the Complainant revoked their consent for the Student to receive special education services while the Student was enrolled in the Previous District.

4. By letter dated March 29, 2022, the Previous District notified the Complainant that it was discontinuing special education and related services for the Student based upon their request. The letter further informed the Complainant that by revoking consent to the provision of special education and related services, certain rights and services would no longer apply to their child.

5. The Student returned to a middle school in the District (Middle School) where they were enrolled as an eighth grade student during the 2025-2026 school year.

6. The Student was referred to the Middle School's Student Study Team (SST) on October 7, 2025 due to concerns regarding their attendance.

7. During the 2025-2026 school year, the Student had 66 absences of which 7 were excused.

8. In their interview, the District's Superintendent shared that the Student's teacher for Novel Studies had poor classroom management skills and removed the Student, as well as other students from the classroom, to complete work on a regular basis. They stated that the Student's performance was inconsistent, but there was no reason to suspect a disability at that time.

9. During the 2025-2026 school year, the Student had 7 disciplinary referrals for minor infractions. Most were for disruption. Consequences for the infractions included lunch detention and working with the custodian to clean the lunch area for one week. The Student was not suspended for any misbehavior.

10. The Student's grades for the 2025-2026 school year were a B, B-, C+, NP and four Fs.

11. The School contacted the Complainant several times regarding the Student's absences.

12. The Student's report card indicated that absences were affecting the Student's grades.

13. By email dated April 29, 2026 sent to the Superintendent, the Complainant stated the following, "Based on [the Student's] history of Autism Spectrum Disorder and PTSD, the District's actions have re-triggered a disability-related crisis…I am formally requesting a full psychological evaluation, including an FBA, effectively immediately."

14. In their interview, the Complainant indicated that an outside therapist diagnosed the Student with an Autism Spectrum Disorder (ASD), but the therapist is no longer working and therefore the Complainant could not get documentation of the diagnosis.

15. No documentation has been provided to the District regarding the Student's diagnoses of ASD or Post-Traumatic Stress Disorder (PTSD).

16. On April 30, 2026, the District provided Prior Written Notice (PWN) to the Complainant informing them that the District had received the written request for evaluation and was moving forward with the evaluation. Procedural Safeguards were provided to the Complainant at that time.

17. The Middle School Learning Specialist emailed the Complainant on May 5, 2026, to schedule an evaluation planning meeting.

18. On May 8, 2026, the Complainant filed this Complaint.

19. An evaluation planning meeting was held on May 13, 2026 to discuss assessment of the Student for special education eligibility. The evaluation planning team, including the Complainant, created and agreed to an evaluation plan.

20. Prior Written Notice for the Evaluation was provided to the Complainant on May 13, 2026.

21. The Complainant provided written consent to the District's evaluation of the Student on May 19, 2026.

IV. DISCUSSION

Evaluation and Reevaluation Requirements

The Complainant alleged that the District violated the IDEA when it failed to evaluate the Student for an Emotional Behavior Disability.

Child Find is a foundational principle of the IDEA, placing responsibility on public school districts to identify, locate, and evaluate all children with disabilities who are in need of early intervention, early childhood special education, or special education services.[3] A school district must conduct an evaluation of a student if it suspects or has reason to suspect that the student has a disability and may need special education services as a result of their disability. Students should be assessed in all areas related to the suspected disability including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities. Districts must ensure that the evaluation is sufficiently comprehensive to identify all of the student's special education and related service needs.[4]

Pursuant to 34 C.F.R. § 300.300(b)(4)(iii), when a parent revokes consent in writing for the continued provision of special education and related services, a public agency may not continue to provide such services. Further, under 34 C.F.R. § 300.300(b)(4)(iv), the public agency may not use mediation or due process procedures to obtain an agreement or ruling that services may be provided to the child. Under 34 C.F.R. § 300.300(b)(4)(v), once services are discontinued following a written revocation of consent, the public agency is not considered to be in violation of its obligation to make FAPE available to the child because of the failure to provide further special education and related services. Additionally, under 34 C.F.R. § 300.300(b)(4)(vi), the public agency is not required to convene an IEP Team meeting or develop an IEP for the child for the further provision of special education and related services.

In this instance, the Complainant revoked consent for special education services on March 28, 2022. The Complainant was informed that the Student would no longer have the services or protections provided by the IDEA following the revocation of consent. On October 7, 2025, the Student was referred to the SST to discuss educational supports for the Student. The most pressing concern of the District was the Student's absences and there was no evidence to suggest that the District should have suspected a disability at that time. On March 28, 2026, the Complainant requested special education testing to which the District promptly agreed and scheduled an evaluation planning meeting. Written Consent was provided by the Complainant on May 19, 2026.

While the Student did have several failing grades, the District felt that the failures were the result of the Student's extensive absences. With respect to discipline, the Student had minor infractions that are typical for a middle school student. Consequently, the record does not support that the District failed to meet its Child Find obligations.

[3] OAR 581-015-2080; 34 CFR § 303.302
[4] OAR 581-015-2110(3)-(4)

The Department does not substantiate this allegation.

Access to Student Education Records

The Complainant alleged that the District violated the IDEA when it failed to provide the Complainant with access to the Student's 2025-2026 education records prior to meetings.

The IDEA incorporates by reference the requirements of the Family Educational Rights and Privacy Act (FERPA).[5] These provisions require that a school district must comply with parental requests to inspect and review their child's education records without unnecessary delay.[6] In Oregon, this means that education records requested by a parent must be provided before any meeting regarding an IEP, and in no case more than ten business days after the request has been made.[7]

On March 28, 2022, the Complainant submitted a written revocation of consent for the continued provision of special education and related services to the Student. In response, the Previous District provided prior written notice and discontinued all special education and related services. The Student was removed from special education and was thereafter treated as a general education student. The Complainant was informed that, following the revocation of consent, the Student would no longer receive special education and related services and would no longer be entitled to the procedural protections afforded under the IDEA. This includes procedural protections related to the provision of educational records.

The Department does not substantiate this allegation.

Prior Written Notice (PWN)

The Complainant alleged that the District violated the IDEA by not providing the Complainant with PWN prior to providing one-to-one supervision.

PWN must be given to the parent of a child within a reasonable period of time before a school district proposes to initiate or change, the identification, evaluation, or educational placement of the child, or the provision of a FAPE to the child or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a FAPE to the child. The content of the PWN must include a description of the action proposed or refused by the school district, an explanation of why the district proposes or refuses to take the action, and a description of each evaluation procedure, assessment, test, record, or report the school district used as a basis for the proposed or refused action. The notice must also include a statement that the parents of a child with a disability have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the notice of procedural safeguards may be obtained. It must include sources for parents to contact to obtain assistance in understanding their procedural safeguards. PWN must include a description of other options that the IEP team considered and the reasons why those options

[5] OAR 581-015-2300; 34 CFR § 300.501(a); 34 CFR §§ 99.1 to 99.38
[6] OAR 581-015-2300(2); 34 CFR § 300.501(a)
[7] OAR 581-015-2300(3)(a)

were rejected, and a description of other factors that are relevant to the agency's proposal or refusal.[8]

As discussed above, the Complainant revoked consent for special education services on March 28, 2022. Pursuant to 34 C.F.R. § 300.300(b)(4), services were discontinued and the District had no further obligation to provide special education and related services or IDEA procedural protections related to PWN.

The Department does not substantiate this allegation.

Parent Participation

The Complainant alleged that the District violated the IDEA by denying meaningful parent participation in meetings.

A school district must provide one or both parents the opportunity to participate in meetings with respect to the identification, evaluation, IEP, and educational placement of the child.[9] Districts must consider the concerns of the parents for enhancing the education of their child, among other indicators of the student's academic, developmental, and functional needs.[10] "[P]arents have the right to bring questions, concerns, and preliminary recommendations to the IEP Team meeting as part of a full discussion of the child's needs and the services to be provided to meet those needs."[11] While school districts have educational discretion, parents still have the right "to remain informed of, and to participate in, educational decisions concerning their children."[12]

As discussed above, the Complainant revoked consent for special education services on March 28, 2022. Pursuant to 34 C.F.R. § 300.300(b)(4), services were discontinued and the District had no further obligation to provide special education and related services or IDEA procedural protections related to parent participation.

The Department does not substantiate this allegation.

Disciplinary Removals of More than 10 School Days (Pattern or Consecutive)

The Complainant alleged that the District violated the IDEA by systematic disciplinary removals from instruction.

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.[13] 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

[8] OAR 581-015-2310(2-4); 34 CFR §300.503(a)(b)
[9] OAR 581-015-2190(1); 34 CFR §300.501(b).
[10] OAR 581-015-2205(1)(b) and (d); 34 CFR §300.324(a)(1).
[11] Letter to Northrop (OSEP 5/21/2013), citing 71 Fed. Reg. 46,678 (2006).
[12] *Pasatiempo v. Aizawa*, F.3d 796, 804 (9th Cir. 1996).
[13] 34 C.F.R. § 530(d) and (e)

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.

As discussed above, the Complainant revoked consent for special education services on March 28, 2022. Pursuant to 34 C.F.R. § 300.300(b)(4), services were discontinued and the District had no further obligation to provide special education and related services or IDEA procedural protections related to disciplinary removals.

The Department does not substantiate this allegation.

Denial of FAPE

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

Each school district is responsible for providing a free appropriate public education to school age children with disabilities for whom the school district is responsible.[14] In order to determine whether a student has been denied a FAPE, the courts review a district's compliance with 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 IDEA, and whether the school district met the substantive requirement to develop an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances.[15]

The District was not found to have committed any procedural violations of the IDEA. Further, as discussed above, the Complainant revoked consent for special education services on March 28, 2022. Pursuant to 34 C.F.R. § 300.300(b)(4), services were discontinued and the District had no further obligation to provide the Student with a FAPE.

The Department does not substantiate this allegation.

V. CORRECTIVE ACTION

In the Matter of Knappa School District 4
Case No. 026-054-059

The Department does not order corrective action in this matter.

Dated: July 7th, 2026

[14] OAR 581-015-2040(1); 34 CFR §300.101(a).
[15] *Endrew F.*, 137 S.Ct. at 999.



Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: July 7th, 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).)