BEFORE THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

In the Matter of Grants Pass School District 7	))))	FINDINGS OF FACT, CONCLUSIONS, AND FINAL ORDER Case No. 26-054-075

I. BACKGROUND

On June 3, 2026, the Oregon Department of Education (Department) received a written request for a special education complaint investigation from the parents (Parents) of a student (Student) residing in the 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 June 19, 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 July 3, 2026.

The District submitted a *Response* on July 2, 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, 07/03/26.
2. Suspension letter, 01/26/26
3. Expulsion Notice Letter, 01/26/26
4. Notice of the Manifestation Determination Review (MDR), 01/29/26
5. Manifestation Determination Review (MDR), 01/30/26
6. District MDR Procedures, undated
7. MDR Meeting Notes, 01/30/26
8. Prior Written Notice (PWN) re MDR, 01/30/26
9. Formal Incident Report, 02/02/26 and 03/10/26
10. Student's Individualized Education Program (IEP), 03/14/25
11. Student's Attendance Records, 2024-25 school year
12. Student's Discipline Records, 2025-26 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)

13. Student's Expulsion Packet, 02/02/26

The Parents submitted a *Reply* on July 9, 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*, 07/09/26
2. Parents' email to the District, 01/27/26
3. Parents' email request to the District for Manifestation Determination Review documentation, 01/31/26
4. District email with MDR documents, 02/02/26
5. Parents' email to the District Requestion Guidance Regarding MDR, Expulsion Hearing, and IDEA Supports, 01/30/26
6. Parents' email Request for Incident Report and Investigation Evidence, 02/02/26
7. Hearing Officer's Decision, 02/09/26
8. School Board Appeal Decision, 03/12/26
9. Parents' email for Record Clarification Request and District Response, 03/17-20/26
10. Student's School Psychological Evaluation, 2023
11. Student's Individualized Education Program, 03/11/26
12. Student Incident Additional Findings, 02/02/26
13. Parents' Acknowledgment expulsion hearing information, waiver, and expulsion hearing, Student signed 01/30/26

The Complaint Investigator interviewed the Parent on July 10, 2026. On July 9, July 10 and July 13, 2026, 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 June 4, 2025, to the filing of this Complaint on June 3, 2026.

Allegations	Conclusions
MDR Team Composition and Required Participants The Complaint alleges that the District failed to convene a manifestation determination review (MDR) team in accordance with IDEA requirements. Specifically, Parents report some individuals who participated in the MDR lacked sufficient knowledge of the Student or the Student's IEP, thereby failing to ensure all required team members	**Not Substantiated** The IDEA does not require specific roles (e.g., counselor) to attend an MDR, only that the team collectively be "knowledgeable about the child and the meaning of the

possessed the information necessary to meaningfully participate in the MDR process. (OAR 581-015-2420(1); 34 CFR §300.530(e)(1); 34 CFR §300.321(a))	evaluation data." No evidence shows that any required IDEA participant was missing. The counselor was not a required participant.
Parent Participation The Complaint alleges that the District failed to provide an opportunity for meaningful parental participation in the manifestation determination review (MDR) by providing less than 24 hours' notice for the January 30, 2026, MDR meeting, which Parents report limited ability to participate. Additionally, the Complaint alleges the District predetermined the outcome of the MDR. Specifically, Parents report the MDR team's decision-making process appeared to rely on a numerical vote rather than a collaborative review of all relevant information. The Complaint also alleges the District introduced new information after the meeting had been concluded to support the determination. (OAR 581-015-2190; OAR 581-015-2420; 34 CFR § 300.501(b); 34 CFR §300.530(e)(1)(ii))	**Not Substantiated** The Parents received notice and confirmed attendance, and both the Parents and the Student participated in the MDR on 01/30/26. The Parents were not prevented from contributing to the MDR determination, and their input was considered in the discussion. The District representative made the final determination after lack of consensus, which is consistent with the IDEA.
Review of Relevant Information (MDR) The Complaint alleges the District failed to ensure the manifestation determination review (MDR) considered all relevant information about the Student. Specifically, Parents report the MDR documentation failed to reflect consideration of the Student's evaluations, historical records, teacher observations, parent input, and/or other relevant student information. Specifically, Parents report information shared during the MDR regarding ADHD-related impulsivity, peer influence, poor judgment, and emotional regulation concerns were not meaningfully considered by the team. (OAR 581-015-2420(1)(a) -(b); 34 CFR § 300.530(e)(1)(i)-(ii))	**Not Substantiated** The MDR team reviewed relevant information available at the time of the meeting, including the description of the incident and the Student's acknowledgment of the conduct. The MDR notes document that a District administrator "described the incident, the victim impact, and the investigation in full detail," demonstrating that the team had access to and considered information sufficient to conduct the MDR.

	The Parents provided disability-related input during the MDR, including concerns about impulsivity and difficulty recognizing physical boundaries. The MDR notes reflect that these points were discussed, showing the team considered parent-provided information consistent with 34 CFR §300.530(e)(1)(ii).
Relationship between Disability and Conduct The Complaint alleges the District relied on generalized descriptions of ADHD rather than the Student's IEP, limiting knowledge of the Student's disability and individualized needs, when determining if the Student's conduct was a manifestation of their disability. (OAR 581-015-2420(1)(a)); 34 CFR § 300.530(e)(1)(i))	**Not Substantiated** The MDR team relied on both generalized descriptions of ADHD and relevant Student-specific information when determining whether the Student's conduct was caused by, or had a direct and substantial relationship to, their disability.
Procedural Safeguards and MDR Requirements The Complaint alleges the District failed to provide procedural safeguards required under IDEA during the MDR process. (OAR 581-015-2310; OAR 581-015-2420; 34 CFR § 300.504; 34 CFR §300.530(e)-(f))	**Not Substantiated** The District provided procedural safeguards consistent with IDEA and OAR requirements. MDR documentation confirms procedural safeguards were provided to the Parents on 01/30/26.

REQUESTED CORRECTIVE ACTION
1. We respectfully ask the Department to determine whether, when considered together, these concerns significantly affected our ability to participate meaningfully in the manifestation determination process, affected the integrity of the MDR, or resulted in a determination that did not comply with IDEA and Oregon special education law.

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 June 4, 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 was an 11th grade student during the 2025-26 school year and will be entering their Senior year this upcoming school year (i.e., the 2026-27 school year). The Student has been a student 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 psychological assessment conducted on 03/07/23 included the following behavior rating scales and descriptions:
    a. Significant externalizing behaviors were reported to occur in the home setting that were not reported in the school setting.
    b. Attention difficulties fell in the Clinically Significant range as rated by both the District and the Parents.
    c. Adaptive skills fell in the At-Risk range in school and in the Clinically Significant range as rated by the Parents.
    d. The District and the Parents reported difficulties with executive functioning skills. Executive functioning skills include those skills necessary for planning, time management, organizing, emotional regulation, etc.
    e. The Parents reported more overall difficulties at home than were reported at school.

3. The Student's IEP dated 03/14/26 documented accommodations were frequent checks, preferential seating, redirection when off task, read aloud or text-to-speech, use of a calculator, extended time, pre-teach or re-teach vocabulary, checklists, and copy of notes after instruction.

4. The Student's current IEP at the time of the incident was dated 03/14/25 and included the following documented information:
    a. The Student's IEP dated 03/14/25 did not document special factors for behavior.
    b. The Student's transition goal is documented as joining the military.
    c. The Student is documented as being social and friendly.
    d. The Student is documented as having difficulty with staying on task and being organized.

5. On Saturday, 01/24/26, the District was made aware of an incident that occurred during a wrestling tournament on December 20, 2025. The video showed "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.

6. On 01/26/2026, the District initiated an investigation and interviewed multiple individuals. The investigation confirmed that the Student placed Student 1 in the locker. It also revealed that the Student had placed another minority student (Student 2) in the locker, applied the lock, walked away, then returned to release Student 2. One student reported that the Student again placed the lock on the locker after putting Student 2 inside, though the Student did not engage the lock.

7. The District response states that the Student admitted to putting Students 1 and 2 in closed lockers against their will during the District investigation.

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

9. The District emailed correspondence to the Parents on 01/27/26 stating that the Student was expelled and being placed in off campus suspension. The Student’s first day of suspension was on 01/27/26.

10. The District emailed correspondence to the Parents on 01/27/26 stating the conduct was racial harassment, intimidation, and bullying. The correspondence provided the date of the expulsion hearing and the location. Included in the email were an explanation of rights for the Student and Parents as well as the procedures for the hearing.

11. On 1/27/26, the Parents submitted an email with additional information to the District for consideration regarding the incident.

12. The Parent asserts that the District repeatedly identifies 01/27/26 as the Student’s first day of disciplinary removal, while the Parent maintains that the Student was suspended on 01/26/26. District records reviewed for this investigation show that the Student remained on campus on 01/26/26 and participated in an interview with District staff until the afternoon. According to District documentation, the Student’s first day of suspension began on 01/27/26.

13. In the Parent response, the Parent stated that when the disciplinary process began, they had very limited understanding of the IDEA’s disciplinary procedures or what a manifestation determination involved.
    a. They relied on the District to guide them through a process they had never experienced.
    b. They attended meetings, listened carefully, and participated in good faith based on the limited information they had at the time.
    c. At that point, they had no reason to believe the process was not being conducted in accordance with IDEA requirements.

14. On 01/29/26, a notice of the MDR meeting was provided to the Parents.

15. 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 let the District know that the Student would be in attendance at the MDR.

16. The Parents report that the District's Written Response states:
    a. The District stated that the Parents received advance notice of the MDR, but the records show they received only two verbal calls, neither of which provided the written notice IDEA requires.
    b. The first call informed the family of a suspension and ongoing investigation, and the second call, received the day before the MDR, was the first time they were told the manifestation determination would occur on 01/30/26.
    c. The written Notice of Team Meeting was not provided until 02/02/26, after the MDR had already taken place. Receiving less than one day's verbal notice and written notice only after the meeting left the Parents with minimal opportunity to prepare, and the District's current characterization of the 01/30/26 call does not match the records.

17. The Parents report that they did not have records necessary to prepare for the MDR or to participate meaningfully, as follows:
    a. The Parents state they raised this concern before any decision had been made because they wanted the MDR team to understand that they did not feel prepared to participate meaningfully.
    b. At the time of the MDR, the Parents report they had not been provided with the incident report, witness statements, investigative summaries, video evidence, the notice of team meeting, or the MDR documentation.
    c. The Parents state that the complete MDR packet was not provided until 02/02/26, after the meeting had already concluded, leaving them with limited opportunity to prepare for a determination regarding whether the conduct was a manifestation of the Student's disability.

18. During the 01/30/26 MDR: The Student attended and acknowledged that they understood the conduct was wrong;
    a. All participants, including the Parents, agreed that the incident was not the result of a failure to implement the Student's IEP;
    b. The Parents stated that impulsivity could have contributed to the incident, while District staff indicated that the behavior was inconsistent with impulsivity-related patterns.
    c. The Parents did not dispute that the incident occurred or that the Student was involved, but they disagreed with the conclusion that the conduct was not a manifestation of the Student's disability.
    d. The Parents disagreed with the District decision that the behavior was not a manifestation of the Student's disability; therefore, the District Representative determined that the conduct was not a manifestation.
    e. The District moved forward with expulsion.

19. The Parent reported openly in the MDR meeting stating there was not enough information to participate meaningfully in the MDR, and the District documented the Parents disagreement in the MDR paperwork.

20. The 01/30/26 MDR documentation states the behavior subject to disciplinary action as follows: On 01/24/26, the District became aware of a video showing another student inside a locker, during which the phrase “monkey in a cage” could be heard. The Parent of the student placed in the locker located the video, provided it to the District, and filed a police report. Upon receiving this information, the District began investigating the incident on 01/26/26 to determine the circumstances surrounding the conduct. During the investigation, the District discovered that two students had been placed in the locker during the incident.

21. The 01/30/26 MDR meeting notes reflect:
    a. The Parents stated they did not feel they had sufficient detail about the incident to meaningfully participate.
    b. A staff member asked the Student if the Student understood that the actions taken by the Student were wrong, and the Student responded “Ya.”
    c. A District administrator then described the incident, the victim impact, and the investigation in full detail.
    d. Parent 1 became upset during the description involving minority students, and Parent 2 asked Parent 1 to pause and absorb the information.
    e. After the incident description, the MDR process began. The MDR team agreed the incident was not the result of the District’s failure to implement the IEP.
    f. The team disagreed on whether the conduct was a manifestation of ADHD: the Parents stated ADHD can result in difficulty recognizing physical boundaries and impulsive decisions, while the District stated the behavior exceeded typical ADHD-related patterns and constituted an egregious misuse of physical strength by an older student toward a younger, more vulnerable student.
    g. The Parents maintained it was a manifestation of the Student’s disability; the District determined it was not, and the District representative made the final determination that the conduct was not a manifestation.

22. The 01/30/26 MDR documents show that Procedural Safeguards were provided to the Parents. On 01/30/26 Prior Written Notice was provided to the Parents documenting the change of placement and a description of the Student’s actions.

23. The Parents response states concerns with the Student’s school counselor not attending the MDR for the following reasons:
    a. The counselor was responsible for supporting the Student’s educational program, day-to-day functioning, and disability-related needs, the Parents expected the counselor would have relevant knowledge for the MDR team’s review.
    b. As they examined the records, the Parents could not find any explanation for why the counselor did not attend, any documentation showing they agreed to excuse the counselor’s participation, or any indication that the counselor’s knowledge or input

was gathered and shared with the team, or any explanation of how the District ensured the remaining team had sufficient knowledge of the Student's disability and needs without the counselor.

c. The Parents emphasized that they are not asserting the counselor was legally required to attend; rather, once the District identified them as a member of the MDR team by listing them on the MDR form, they believe it is reasonable to ask how the absence was addressed.
d. The Parents stated that, without documentation showing how the team compensated for the missing member's knowledge, it is unclear how the District ensured the team had the information necessary to conduct the individualized review the IDEA requires.

24. District documentation and staff interview statements reflect that the school counselor had a private matter and was unable to attend the 01/30/26 MDR meeting. The District noted this as "unable to attend" in the MDR paperwork. The counselor was not a required team member, and other staff present were identified as knowledgeable about the Student.

25. The Parents stated that across the District's documentation; the individuals identified as participants in the MDR meeting were listed differently from one record to another. The notices, MDR form, meeting notes, and prior written notice each reflected varying descriptions of who attended and what roles they served. These inconsistencies made it difficult to determine who the District considered members of the MDR team and how each participant contributed to the manifestation determination.

26. The Parents response states concerns with the District's response to the IEP team voting in the MDR. The Parents assert that:
    a. The District stated that no vote occurred and that the final determination was made by the District Representative after the team did not reach agreement.
    b. The official MDR Meeting Notes document that multiple team members voted that the incident was not a manifestation.
    c. The Manifestation Determination form does not state that the District Representative made the final determination after the Parents disagreed, nor does it explain how the team ensured it had sufficient knowledge of the Student's disability, educational program, and needs to conduct the individualized review the IDEA requires.

27. The District documentation shows that the Parents attended the 01/30/26 MDR meeting. Their disagreement with the determination was recorded in the MDR documentation, which also reflects that the team discussed the Student's ADHD and the Parents' position that the conduct was a manifestation of the Student's disability. The documentation further shows that the District provided Prior Written Notice (PWN) of the determination on 01/30/26.

28. The Parents state that after reviewing the records, they were unclear about the sequence of events surrounding the MDR and subsequent disciplinary actions, as follows:

a. The Parents report that the manifestation determination meeting was brief and was immediately followed by the pre-expulsion meeting, during which disciplinary letters dated 01/27/26 were provided.
b. The Parents state that, taken individually, none of these events necessarily establishes that the MDR outcome was predetermined; however, when viewed collectively the ongoing investigation on 01/26/26, the 01/27/26 disciplinary letters, less than 24 hours' notice of the MDR, the absence of timely written notice, the brevity of the MDR meeting, the immediate transition into the pre-expulsion meeting, the vote documented in the meeting notes, and the District's later reliance on materials created after the MDR, the Parents report these factors raised concerns about whether the manifestation determination functioned as the independent safeguard the IDEA requires.
c. The Parents further state that the sequence and timing made them question whether the MDR process operated as a meaningful, individualized review before the disciplinary process moved forward.

29. The Parents stated they did not have access to investigative materials at the time of the MDR, and this directly affected their ability to participate. Specifically:
    a. The Parents began the MDR stating they did not have the full details of the incident.
    b. The records show the Parents had not been provided investigative materials prior to the MDR.
    c. Without access to those materials, the Parents could not identify what additional information might have been relevant for the team to consider.

30. The Parents stated that the Procedural Safeguards were not provided before the MDR determination. They report that the safeguards were given to them during the MDR meeting, but by that point the MDR team had already reached its determination. As a result, the Parents state that the safeguards were not available to support their meaningful participation before the decision was made.

31. The Parents stated that in the days following the MDR, they requested investigative materials, witness statements, videos, meeting documentation, and other records the District relied upon in making its decisions. They report that these requests were made before any complaint was filed, as they were attempting to understand how the determinations had been reached. The Parents further stated that their efforts to obtain records demonstrate that their concerns were based on what they experienced in real time, rather than on hindsight.

32. The Parents stated that several key documents, including the Incident Report, a second video, an additional witness statement, and the additional Findings document were created after the 01/30/26 MDR. The Parents report that while those materials may have become relevant later in the disciplinary process, they do not establish what the MDR team actually reviewed on 01/30/26. The Parents state that this approach reflects their position that not all relevant documentation was considered at the MDR.

33. On 01/31/26, the Parents emailed the District requesting the 01/30/26 MDR documents. On 02/02/26, the District emailed the requested documents to the Parents. On 02/02/26, the District emailed the Parents stating that their voicemail was full, apologized for missing the Parent's call, and provided a number where the District could be reached.

34. District and Parent communications on 02/02/26 are documented as follows: On 02/02/26, the Parent emailed the District requesting documents, videos, text messages, and the investigative records related to the incident. On the same date, the District emailed the Parent asking when they would like to pick up the expulsion binder. The District also offered a time to show the Parents the video of the incident, as reflected in the District's email communication.

35. The District's expulsion packet was prepared on 02/02/26 to provide to the Parents. The expulsion packet included the contents of the Student information, the incident report and recommendations, expulsion reports, parental correspondence, issued waiver, signed waiver, full MDR, MDR meeting notes, Prior Written Notice, Student attendance, Student academic transcript, Student discipline records, the Hearing Officer decision, and the Board appeal decision.

36. After the MDR, the District held an expulsion hearing on 02/06/26. During the hearing, the Student again acknowledged engaging in the conduct. On 02/09/26, the District's Expulsion Hearings Officer issued written conclusions finding a full expulsion through 01/25/2027 appropriate. The decision also stated that, if the Student demonstrated strong attendance, grades, and behavior in their current placement, they could be considered for re-enrollment at the start of the 2026–2027 school year under an Enrollment Contract, and that significant improvement could prompt a meeting to determine athletic eligibility for summer/fall 2026 football.

37. The Parents stated that during the expulsion hearing, the Student was questioned, and the Hearing Officer later wrote that "all the facts related to the recommendation for expulsion" presented by the District administrator, including "all information and evidence related to the December 20, 2025, incident," had been reviewed. The Parents report they were not provided a comparable opportunity to present their perspective or respond to the District's characterization of events. They further state that the Hearing Officer disclosed a long-standing professional relationship with the District administrator, and when the Parents later requested the recording of the hearing to preserve an accurate record, it was never provided.

38. On 03/10/26, the Parents appealed the expulsion recommendation to the District's Board of Education. The Board upheld the hearing officer's recommendation for a full expulsion, with the option for conditional enrollment beginning in fall 2026.

39. The Parents stated in their response that they appealed to the District's School Board and again raised the same concerns described in their submission, including procedural issues, factual inconsistencies, and questions about the fairness of the process. They report that

although these concerns did not change the outcome, they were presented while the disciplinary process was still underway.

40. The Parents reported that, upon reviewing the records, they observed that the District's description of the incident changed over time. The 01/27/26 Suspension Letter and the Proposed Expulsion Letter describe the Student's conduct as "physically placing another student against [their] will into a locker during a racial harassment, intimidation and bullying situation." The 02/02/26 Incident Report expands the factual narrative through additional witness interviews and investigative findings and recommends expulsion for "Harassment and Hazing." The 02/02/26 Hearing Officer's Decision concludes that the Student "displayed behavior toward other students on campus that included racial harassment, intimidation, and bullying." The Student's 03/11/26 IEP describes the incident as "a very unfortunate Hazing type situation." When the District's School Board upheld the expulsion, it did not adopt any of those descriptions; instead, it stated only that "the actions the Student took on that day did rise to the level of an expellable offense."

41. The Parents response states that because these descriptions differed, they requested clarification regarding the factual basis for the expulsion, including what conduct supported the finding of racial harassment, whether the expulsion was based on racial harassment or physical misconduct, and whether the record would be corrected if the basis for the decision was physical conduct rather than racial conduct. The District responded that the Board considered the matter closed and would not provide additional information. The Parents noted that these differences matter because the IDEA requires the MDR team to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the Student's disability.

42. The Parents stated that ODE guidance requires MDR teams to review a description of the specific behavior and incident leading to disciplinary action and documentation of events surrounding the incident. They reported that when the District's characterization of the conduct shifted over time from racial harassment to harassment and hazing, to a hazing-type situation, to simply "an expellable offense" it became unclear what conduct the MDR team actually analyzed. The Parents stated that these inconsistencies raise concerns about whether the MDR team reviewed a consistent factual basis and whether the team had a stable and accurate description of the incident when making its determination. The Parents further noted that because the IDEA requires the MDR team to determine whether the conduct was caused by, or had a direct and substantial relationship to, the Student's disability, an inconsistent factual basis directly affects the validity of the manifestation determination.

43. The District response maintains that the Parents were informed, present at the MDR, and the conduct discussed in the MDR was the documented conduct related to the disciplinary action.

44. On 03/11/26, the Student's IEP team convened via video conference for reevaluation and an annual IEP meeting. The Student was invited but did not attend. The Parents attended via video, and the District reported that their cameras were not turned on. The IEP team

determined that the Student continued to meet eligibility criteria under OHI due to ADHD, and a new annual IEP was developed. The team also concluded that all SDI in the 03/11/26 IEP could be delivered directly by the special education teacher at the Bridges PM program and maintained the placement code of 80% or more of the day in the regular class.

45. On 03/16/26, the District emailed the Board decision dated 03/12/26, stating the Board decision on 03/09/26 was to uphold the expulsion.

46. On 03/17/26, the Parent emailed the District with the following concerns:
    a. On March 17, 2026, the Parent emailed the District requesting clarification and correction of the Board's written decision. The Parent stated that the Board's letter identified the appeal hearing date as 03/09/26, but the hearing occurred on 03/10/26.
    b. The Parent requested clarification regarding the basis of the expulsion decision upheld by the Board. The Parent stated that during the appeal hearing, the Student's conduct was discussed in terms of physical actions involving placing another student in a locker, while the Hearings Officer's written decision identified the violation as "racial harassment, intimidation, and bullying."
    c. The Parent stated they were unable to identify evidence that the Student engaged in racial conduct or used racial language and requested clarification on (1) what conduct supported the finding of racial harassment, (2) whether the expulsion was based on racial harassment or physical misconduct, and (3) whether the record would be corrected if the basis was physical conduct rather than racial conduct.
    d. The Parent stated they were seeking accuracy in the record and requested confirmation of the correct hearing date and clarification of the basis for the expulsion decision upheld by the Board.

47. The District responded to the Parent's request for clarification on 03/20/26 providing the following:
    a. On 03/20/26, the District responded to the Parent's email and confirmed that the appeal hearing took place on 03/10/26, acknowledging that the date listed in the Board's written decision was a typographical error.
    b. The District stated that the Board carefully reviewed the information presented by both the Parent and the campus during the 03/10/26 appeal hearing and that formal notice of the Board's decision had been provided in the 03/16/26 letter.
    c. The District stated that the Board considered the matter concluded and would not be providing additional response and expressed appreciation for the Parent's time and effort in presenting their perspective.

48. On 03/20/26, the Parents filed a complaint with ODE designated as 26-054-038.

49. On 04/02/26, the District sent the Parents a Prior Written Notice to correct typographical errors found within the 03/11/26 IEP document. The Student's location and date of eligibility were incorrect.

50. On 06/03/26, Parents filed the present Complaint.

51. The Parents stated that as they compared the District's Written Response with the records created during the disciplinary process, they identified several instances where the District's current explanations did not appear in the documentation. The Parents reported that the records they reviewed included the MDR meeting notes, the Manifestation Determination form, emails, meeting notices, disciplinary records, investigative materials, and the Student's educational records. Although the District's Written Response asserts that IDEA's requirements were met, including that all relevant information was reviewed, meaningful parent participation occurred, and an individualized analysis was conducted, the Parents stated they were often unable to locate documentation showing where those discussions or analyses took place.

52. District staff reported the following during interviews conducted on 07/09/26:
    a. Staff stated that during the MDR, the Student's discipline records were reviewed and the team determined that the behavior associated with the incident did not fall into a pattern typical for the Student or for ADHD.
    b. Staff reported that the District discussed the incident in relation to ADHD and determined the conduct was not related to the Student's disability.
    c. Staff reported a lack of participation from the Parents during the MDR.
    d. Staff stated that one Parent told the other Parent not to say anything more in the meeting.
    e. Staff stated that the Student was currently participating in summer athletics at the time of the interview.
    f. Staff reported that the District became aware of the incident on 01/26/26, and that during the MDR, both the Student and the Parents acknowledged they understood the purpose of the meeting.
    g. Staff stated that the Student admitted participation in the incident.
    h. Staff stated that the MDR team discussed the incident, reviewed the Student's disability of ADHD, and determined the conduct was not a typical pattern of behavior for the Student and was not related to ADHD.
    i. Staff reported that the Parents and Student participated in both the MDR and the expulsion hearing, and that the Parents did not indicate they had questions or concerns at any meeting.

53. District staff reported the following during interviews on 07/9/26, 07/10/26, and 07/13/26 regarding the 01/30/26 2026 MDR:
    a. The District stated it informed the Parents on 01/26/26 via phone call that an MDR would occur, and the District staff contacted the Parents on 1/29/26 to confirm attendance.
    b. Staff reported the Student's suspension began on 01/27/26 and that the MDR was held within the required five-day timeline.
    c. Staff stated that the description of the incident changed because the District uses PowerSchool incident codes with associated language, and that conduct discussed in the MDR was related to "harassment, intimidation, and bullying."

d. Staff reported that the District communicated with the Parents through letters, emails, and phone calls regarding the disciplinary process, and that information was sent to the Parents as requested.
e. Staff stated the Parents were offered times to view the video evidence, as documented in email correspondence.
f. Staff further stated that the Parents and the Student participated in both the MDR and the expulsion hearing and did not indicate they had questions or concerns at any meeting.
g. Staff stated that during the MDR, the team discussed the incident in detail, noted that the Student admitted participation, and reviewed the Student's disability of ADHD, attendance, academic records, and the incident itself.
h. Staff reported that team members provided agreement or disagreement toward consensus and that they did not believe the conduct was a manifestation based on past behavior.
i. Staff stated that the Parents disagreed and described the conduct as impulsive and related to ADHD, but the District determined the conduct went beyond ADHD-related characteristics.
j. Staff reported that the administrator made the final determination that the conduct was not a manifestation of the Student's disability, closed the meeting, and provided the expulsion packet as the next step in the disciplinary process.
k. The District reported the counselor was not in attendance due to a family emergency and that attendance would not be possible.

54. During the Parent interview on 07/10/26, the Parents reported the following regarding the 01/30/26 MDR and subsequent disciplinary process:
    a. The Parents stated that the MDR appeared predetermined and that they did not have the details of the incident at the time of the meeting. They reported that the team voted during the MDR, that District staff decided the conduct was not a manifestation of the Student's disability, and that the Parents did not agree with that determination.
    b. The Parents stated that immediately after the MDR, they and the Student were scheduled to attend an expulsion hearing. They reported that they appealed the expulsion decision to the school board, and the school board upheld the expulsion.
    c. The Parents stated they did not feel they had an opportunity to review sufficient information regarding the Student's disability-related needs or how the Student's disability may have impacted the conduct under review.
    d. The Parents reported that the lack of detailed information and the sequence of events contributed to their belief that the outcome of the MDR had been decided before the individualized review occurred.

IV. DISCUSSION

MDR Team Composition and Required Participants

The Complaint alleges that the District failed to convene a manifestation determination review (MDR) team in accordance with IDEA requirements. Specifically, Parents report some individuals who participated in the MDR lacked sufficient knowledge of the Student or the Student's IEP, thereby failing to ensure all required team members possessed the information necessary to meaningfully participate in the MDR process.

The IDEA requires that the MDR team include individuals "knowledgeable about the child and the meaning of the evaluation data" (34 CFR §300.530(e)(1); 34 CFR §300.321(a)). The IDEA does not mandate the attendance of any specific role (e.g., counselor), but it does require that the team collectively possess the knowledge necessary to conduct an individualized manifestation determination.

The record shows the District identified the Student's counselor as a participant but documented the counselor as "unable to attend." The Parents reported they "could not find any explanation for why the counselor did not attend, any documentation showing they agreed to excuse [their] participation, any indication that the counselor's knowledge or input was gathered and shared with the team." The District explained during the 07/10/26 interview that the counselor experienced a family emergency, and the Parents were notified the counselor could not attend. Because the counselor is not a required participant, this absence alone does not constitute noncompliance.

The District reported that staff present at the MDR knew the Student and were familiar with the Student's educational program. The MDR notes reflect that the team discussed the incident, the Student's acknowledgment of wrongdoing, and whether impulsivity contributed to the conduct. While the Student's psychological evaluation documented "attention difficulties in the Clinically Significant range" and "difficulties with executive functioning skills," the MDR documentation does not clearly identify which team member was responsible for interpreting this information or how the evaluation data informed the discussion. However, the IDEA does not require the District to document each participant's specific knowledge or role beyond identifying the team members.

The inconsistencies across the MDR form, meeting notes, and prior written notice regarding who attended the meeting created confusion for the Parents; however, the evidence does not demonstrate that the District failed to convene a team with sufficient knowledge of the Student or their disability. The staff who participated were familiar with the Student, and the counselor's absence was due to an emergency rather than a procedural failure.

The Department does not substantiate this allegation.

Parent Participation

The Complaint alleges that the District failed to provide an opportunity for meaningful parental participation in the manifestation determination review (MDR) by providing less than 24 hours' notice for the 01/30/26, MDR meeting, which Parents report limited ability to participate. Additionally, the Complaint alleges the District predetermined the outcome of the MDR. Specifically, Parents report the MDR team's decision-making process appeared to rely on a

numerical vote rather than a collaborative review of all relevant information. The Complaint also alleges the District introduced new information after the meeting had been concluded to support the determination.

The IDEA requires districts to ensure parents are afforded meaningful opportunity to participate in meetings regarding disciplinary changes in placement, including manifestation determinations. Under 34 CFR §300.501(b), parents must be provided notice early enough to ensure they can attend and participate. The IDEA does not prescribe a specific number of days' notice for an MDR, but the notice must be sufficient to allow meaningful participation.

The record shows the District notified the Parents of the MDR verbally on 01/29/26 for a meeting scheduled on 01/30/26. The Parents reported they "did not feel they had sufficient detail about the incident to meaningfully participate," and the MDR notes confirm this statement. Written meeting notice of the MDR is also dated 01/29/26 and the Parents did attend the meeting with the Student.

During the MDR, the Parents were able to express their view that impulsivity and ADHD-related factors could have contributed to the conduct. The MDR notes reflect that the Parents raised concerns about insufficient information, and a District administrator provided a detailed verbal description of the incident. The MDR notes also document that the team discussed whether the conduct resulted from a failure to implement the IEP and whether the conduct was a manifestation of the Student's disability.

The MDR notes include a reference to a "vote," while the District's Response states that no vote occurred and the administrator made the final determination after the team did not reach consensus. Although this inconsistency raises documentation concerns, it does not establish that the District predetermined the outcome. The sequence of events, including the brief MDR, the immediate transition to the pre-expulsion meeting, and the later creation of additional investigative documents, understandably contributed to the Parents' perception of predetermination. However, the evidence does not show that the District prevented the Parents from expressing their views or participating in the decision-making process.

The Parents' participation is documented in the MDR notes, and the record does not show that the District refused to consider their input. While the Parents would have preferred more time and more detailed information prior to the MDR, the IDEA's standard focuses on whether the District afforded an opportunity to participate, not whether the Parents felt fully prepared to participate.

The Department does not substantiate this allegation.

Review of Relevant Information (MDR)

The Complaint alleges the District failed to ensure the manifestation determination review (MDR) considered all relevant information about the Student. Specifically, Parents report the MDR documentation failed to reflect consideration of the Student's evaluations, historical records, teacher observations, parent input, and/or other relevant student information.

Specifically, Parents report information shared during the MDR regarding ADHD-related impulsivity, peer influence, poor judgment, and emotional regulation concerns were not meaningfully considered by the team.

The IDEA requires MDR teams to review "all relevant information in the student's file, including the child's IEP, teacher observations, and any relevant information provided by the parents" (34 CFR §300.530(e)(1)(i)–(ii)). This ensures the determination is individualized and considers disability-related characteristics relevant to the conduct.

The District's investigation of the disciplinary incident included a review of MDR notes, parent statements, evaluation records, the conduct related to the incident, and District documentation. The Parents reported at the start of the MDR that they "did not have the full details of the incident," and the MDR notes reflect that all investigative materials were not yet available. At the MDR meeting, the District provided a verbal description of the incident, and documentation confirms the team discussed the Student's acknowledgment of the conduct and whether impulsivity contributed. While some investigative documents, including the Incident Report dated 02/02/26, were created after the MDR and therefore could not have been reviewed, the IDEA does not require MDR teams to review specific types of investigative materials, nor does it impose a timeline for when such materials must be provided to parents. The regulations require consideration of relevant information available at the time of the meeting, and the record shows the team relied on the information accessible through the discipline platform and considered the conduct and actions of the Student along with the Student's statements as relevant information.

The Student's psychological evaluation documented "attention difficulties in the Clinically Significant range" and "difficulties with executive functioning skills necessary for planning, time management, organizing, emotional regulation," as well as differences in how behaviors were reported at home and school. Although the MDR notes do not document a detailed discussion of each evaluation component, the record shows the team discussed ADHD and whether the conduct aligned with the Student's previous patterns of behavior. The IDEA and relevant OARs do not require MDR teams to document every element of evaluation data reviewed, nor do they require a written summary of how each disability-related characteristic was weighed. The MDR notes reflect that the team considered whether impulsivity or other disability-related factors contributed to the conduct, which meets the requirement to consider relevant information.

The Parents provided information during the MDR, including concerns related to impulsivity, peer influence, judgment, and behavioral boundaries. The MDR notes confirm the Parents raised these points. While the documentation does not describe how each parent statement was weighed, IDEA requires that parents have the opportunity to provide relevant information; it does not require detailed written analysis of each point raised. The record supports that the Parents participated and that their input was part of the team's discussion.

The evidence shows the MDR team reviewed relevant information available at the time including the incident description, the Student's acknowledgment of the conduct, parent input, and disability-related considerations and made its determination based on that information.

Although the MDR documentation is brief, the investigation does not establish that the District failed to review required information under the IDEA.

The Department does not substantiate this allegation.

Relationship between Disability and Conduct

The Complaint alleges the District relied on generalized descriptions of ADHD rather than the Student's IEP, limiting knowledge of the Student's disability and individualized needs, when determining if the Student's conduct was a manifestation of their disability.

The IDEA requires MDR teams to review "all relevant information in the student's file, including the child's IEP, teacher observations, and any relevant information provided by the parents" (34 CFR §300.530(e)(1)(i)-(ii)). This includes disability-specific evaluation data, contextual information about how the disability manifests, and any parent-provided information relevant to the incident.

As discussed above, the record shows that during the MDR meeting the District provided a verbal description of the incident and the team discussed the Student's acknowledgment of the conduct and whether impulsivity was a contributing factor. The Parents are correct that the MDR documentation does not reflect a discussion of the Student's most recent psychoeducational evaluation as it relates to their ADHD-related impulsivity, executive functioning deficits, or adaptive skill deficits. The MDR notes do reflect a generalized discussion of ADHD, with District staff stating the behavior exceeded typical behavior associated with ADHD, and that the conduct in question was inconsistent with the Student's previous patterns of behavior. The MDR team also considered information provided by the Parents regarding how the Student's disability, and associated impulsivity, can manifest.

While the MDR team certainly could have discussed the Student's evaluation results in more detail, it is up to the MDR team to determine what information is relevant to the question of whether the conduct was a manifestation of the Student's disability. The IDEA does not mandate that the team consider any particular piece of data, nor does it require the team to document how each piece of information was weighed. The record supports that the MDR team reviewed relevant information, including the incident description, the Student's past behavior, and parent input when determining whether the behavior in question was caused by or had a direct and substantial relationship to the Student's disability. Furthermore, no evidence was provided to suggest that the MDR team would have reached a different result if it had reviewed some other portion of the Student's educational records in more detail.

The Department does not substantiate this allegation.

Procedural Safeguards and MDR Requirements

The Complaint alleges the District failed to provide procedural safeguards required under the IDEA during the MDR process.

Under the IDEA and Oregon regulations, school districts must provide parents with procedural safeguards "upon initiation of disciplinary procedures" (34 CFR §300.504; OAR 581-015-2310). Oregon rules further require districts to provide parents with a copy of procedural safeguards at least once per school year and additionally upon specific triggering events, including upon disciplinary removal that constitutes a change of placement (OAR 581-015-2310(2)(d)). For manifestation determinations, districts must follow the requirements in 34 CFR §300.530(e)–(f) and OAR 581-015-2420, which include ensuring parents are part of the MDR team and have the opportunity to provide relevant information.

The evidence shows the District provided procedural safeguards during the MDR meeting on 01/30/26, as indicated by the MDR documentation where "Procedural Safeguards Provided" is checked. Although the Parents reported they did not recall receiving safeguards prior to the MDR, there is no evidence contradicting the District's documentation that safeguards were provided at the meeting. Under OAR 581-015-2310, providing procedural safeguards at the time of a disciplinary removal that constitutes a change in placement satisfies the regulatory requirement. IDEA does not require safeguards to be provided a specific number of days prior to the MDR, only that they be provided upon initiation of disciplinary procedures or at the time of a disciplinary change in placement. The District's provision of safeguards at the MDR meeting meets this requirement.

Regarding investigative materials, the record shows the Parents received additional documentation on 02/02/26, after the MDR. While earlier access may have supported more robust parent preparation, neither IDEA nor OAR rules require districts to provide investigative materials prior to the MDR. The MDR team is required to consider any relevant information provided by the parents, but the regulations do not impose a timeline for providing incident documentation before the meeting. The Parents attended the MDR, participated in the discussion, and were able to share information about the Student's disability and behavior. The evidence does not show the District prevented the Parents from providing relevant information or excluded them from the decision-making process.

The verbal communication on 01/26/26 and 01/29/26 did not include procedural safeguards; however, Oregon regulations require safeguards to be provided upon disciplinary removal constituting a change of placement, not upon every communication related to discipline. The MDR documentation confirms safeguards were provided on 01/30/26, satisfying the requirement under OAR 581-015-2310(2)(d).

The Department does not substantiate this allegation.

V. CORRECTIVE ACTION[3]

In the Matter of Grants Pass School District 7
Case No. 26-054-075

[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 Department does not order corrective action in this matter.

Dated: this 30th Day of July 2026



_____

Ramonda Olaloye
Assistant Superintendent
Office of Enhancing Student Opportunities

E-mailing Date: July 30, 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).)