

Decision of the Colorado Department of Education
Under the Individuals with Disabilities Education Act (IDEA)

State Complaint SC2026-501
Aurora Public Schools

DECISION

INTRODUCTION

On January 8, 2026, the parent (“Parent”) of a student (“Student A”) identified as a child with a disability under the Individuals with Disabilities Education Act (“IDEA”)¹ and a student (“Student B”) not currently identified as a child with a disability filed a state complaint (“Complaint”) against Aurora Public Schools (“District”). The Colorado Department of Education (“CDE”) determined that the Complaint identified three allegations subject to its jurisdiction for the state-level complaint process under the IDEA and its implementing regulations at 34 C.F.R. §§ 300.151 through 300.153.

The CDE’s goal in state complaint investigations is to improve outcomes for students with disabilities and promote positive parent-school partnerships. A final written decision serves to identify areas for professional growth, provide guidance for implementing IDEA requirements, and draw on all available resources to enhance the quality and effectiveness of special education services.

RELEVANT TIME PERIOD

The CDE has the authority to investigate alleged noncompliance that occurred no earlier than one year before the date the Complaint was properly filed. 34 C.F.R. § 300.153(c). Accordingly, findings of noncompliance shall be limited to events occurring on or after January 8, 2025. Information prior to that date may be considered to fully investigate all allegations.

SUMMARY OF COMPLAINT ALLEGATIONS

The Complaint raises the following allegations subject to the CDE’s jurisdiction under 34 C.F.R. § 300.153(b)² of the IDEA:

¹ The IDEA is codified at 20 U.S.C. § 1400 *et seq.* The corresponding IDEA regulations are found at 34 C.F.R. § 300.1 *et seq.* The Exceptional Children’s Education Act (“ECEA”) governs IDEA implementation in Colorado.

² The CDE’s state complaint investigation determines if District complied with the IDEA, and if not, whether the noncompliance results in a denial of a free appropriate public education (“FAPE”). 34 C.F.R. §§ 300.17, 300.101, 300.151-300.153.

1. District provided prior written notices to Parent regarding Student A between November 19, 2025, and December 19, 2025, that did not include the content required by 34 C.F.R. § 300.503(b), specifically:
 - a. An explanation of why District proposed or refused to take the action described in the notices;
 - b. A description of each evaluation procedure, assessment, record, or report used as a basis for the proposed or refused action; and
 - c. A description of other options the IEP Team considered and the reasons why those options were rejected.
2. District provided prior written notices to Parent regarding Student B on or around December 19, 2025, and January 5, 2026, that did not include the content required by 34 C.F.R. § 300.503(b), specifically an explanation of why District proposed or refused to take the action described in the notice.
3. District did not conduct a comprehensive evaluation of Student B on or around December 7, 2025, because it did not assess Student B in all areas related to the suspected disability—specifically in fine motor and sensory skills—as required by 34 C.F.R. § 300.304(c)(4).

FINDINGS OF FACT

After thorough and careful analysis of the entire Record,³ the CDE makes the following findings of fact (“FF”):

A. Background

1. Student A is six years old and attends a District elementary school (“School”) in kindergarten. *Exhibit A*, p. 35. She qualifies for special education and related services under the disability categories of Developmental Delay and Speech or Language Impairment. *Id.*
2. Student A is a caring and motivated student who loves spending time with friends at School. *Interviews with Parent and Student’s special education teacher (“Special Education Teacher A”)*. She has a great sense of humor and enjoys art and music. *Id.*
3. Student B is eight years old and attends School in third grade. *Exhibit H*, p. 18. He previously qualified for special education and related services under the disability category of Speech or Language Impairment but was found no longer eligible in December 2025. *Id.*; *Exhibit J*, p. 2.

³ The appendix, attached and incorporated by reference, details the entire Record.

4. Student B is kind to others and has strong analytical skills. *Interviews with Parent and Student B's former special education teacher ("Special Education Teacher B")*. He enjoys math class and building with Lego blocks. *Id.*
5. This investigation involves eligibility and IEP meetings held for Students A and B in November and December 2025, as well as three prior written notices ("PWNs") issued during that time. *Complaint; Exhibits C and J*. Parent alleges that the PWNs issued for Students did not provide sufficient information, and that Student B's evaluation was incomplete. *Complaint; Interview with Parent*.

B. District's Practices, Procedures and Policies

6. District's director of exceptional student services ("Director") described District's responsibilities with respect to evaluation and identification of students with disabilities, stating that the multidisciplinary team ("MDT") must carefully consider all relevant data when making determinations. *Interview with Director*.
7. Director stated that District provides its special education staff members with regular professional development training to ensure that they are knowledgeable regarding the requirements of relevant special education laws. *Id.* In addition, District-level staff members regularly coordinate with building-level staff to ensure compliance. *Id.*
8. District provides staff with a special education handbook, outlining its procedures for performing special education duties, including the conduct of eligibility meetings and the issuance of PWN. *Exhibit P*.
9. Director stated that when a MDT or IEP team makes a determination impacting the provision of FAPE to a student, District must issue a PWN describing the information District relied upon to make its determination and rationale for that determination. *Interview with Director*. The provision of PWN is designed to allow the student's parents to effectively participate in the special education process. *Id.*
10. Director stated that when a parent obtains an independent educational evaluation ("IEE"), the MDT should carefully consider the results and recommendations of the IEE, as well as the other evaluation data available to the team, when making decisions impacting the delivery of the student's FAPE. *Id.*

C. Student A's November 2025 IEP Meeting

11. During the summer of 2025, Parent and District agreed that a District-funded IEE would be conducted with respect to Student A. *Interviews with Parent and District's special education coordinator ("Coordinator")*.
12. On October 10, 2025, the private evaluator chosen by Parent to conduct Student A's IEP submitted an IEE report to District and Parent. *Exhibit E*, pp. 9-45.

13. On October 27, 2025, a MDT convened to determine Student A's eligibility for special education and related services. *Exhibit D*, pp. 7-8. The team included Parents, Special Education Teacher A, Coordinator, Student A's general education teacher, an occupational therapist, a physical therapist, a speech-language pathologist, a social worker, a school psychologist, Student A's advocate, and the private IEE provider. *Id.*
14. During the meeting, the private provider reviewed the results of her IEE report, and the MDT discussed the results of that report as well as other evaluative data. *Interviews with Parent, Coordinator, and Special Education Teacher A; Exhibit D*, pp. 33-36. Following this review, the MDT determined that Student A was eligible for special education and related services under the disability categories of developmental delay and speech or language impairment and not eligible under the category of other health impairment. *Exhibit E*, pp. 4-6.
15. Following this determination, Parents and District scheduled an IEP meeting for November 17, 2025, to develop Student A's IEP. *Exhibit D*, p. 9. Parents, Special Education Teacher A, Coordinator, Student A's general education teacher, and six other District staff members attended that meeting. *Id.*
16. During the meeting, Parents disagreed with the other members of the IEP team regarding whether Student A should receive specialized door-to-door transportation between home and school to address fatigue issues observed outside the school environment. *Id.* at pp. 37-39. In addition, Parents disagreed with the IEP team's decision to provide Student A with indirect occupational therapy service minutes as opposed to the direct services she had received under her previous IEP. *Id.*

D. Student A's November 2025 PWN

17. That evening, Special Education Teacher A emailed Parents a copy of a PWN describing the IEP team's determinations at the meeting earlier that day. *Exhibit Q*, p. 6.
18. Parent responded, identifying disagreements with the information in the PWN and requesting additions to the document. *Id.* Coordinator and Special Education Teacher A made the requested revisions to the PWN, and sent Parents a copy of the updated PWN on November 19, 2025. *Id.* at pp. 7-8.
19. The PWN described that on November 17, 2025, the IEP team convened to develop a new IEP for Student A, and details the updates made to that IEP. *Exhibit C*, pp. 52-53.
20. The PWN listed each of the 41 assessments that were conducted with respect to Student A and considered during the eligibility and IEP development meetings. *Id.* at pp. 53-54.
21. The PWN described other options considered by the team, specifically noting that the team considered providing specialized transportation as a related service. *Id.* at p. 54. It detailed the six questions the team worked through to guide the decision against providing transportation services, and the team's answers to those questions. *Id.*

22. The PWN described the other factors considered by the team, noting discussions of Student A's health care plan, concerns related to Student A's ability to open milk cartons in the lunchroom, Parents' concerns related to Student A's transportation, and the discussion of changes to Student A's occupational therapy services. *Id.* at pp. 54-55.
23. The PWN includes a statement noting that Parents have protection under the procedural safeguards and directing Parents to contact Special Education Teacher A for a copy of the procedural safeguards or for assistance in understanding that document. *Id.* at p. 55.

E. Student A's December 2025 IEP Meeting

24. On December 1, 2025, Parent met with Director and District's executive director of special education to discuss her concerns with the outcome of the November 2025 IEP meeting. *Exhibit 3; Interviews with Parent and Director.*
25. Director agreed to hold an additional IEP meeting to further review District's determinations with respect to Student A's special education and related services. *Interviews with Parent and Director.* This meeting was held on December 9, 2025 and December 18, 2025. *Exhibit 3.*
26. Prior to this meeting, District staff prepared a document which reviewed the information provided in the IEE, compared it to the District's evaluative data, and described the November IEP team's determinations based on those sets of data. *Exhibit D, pp. 24-32.*
27. At the December 2025 IEP meeting, the attendees, including Parents, reviewed the IEE and discussed Student A's educational needs. *Interviews with Parent, Coordinator, Special Education Teacher A, and Director.*
28. During the meeting, participants agreed to add several accommodations to Student A's IEP to address Parents' concerns related to fatigue but did not change its determinations from the November 2025 meeting that Student A would not receive specialized transportation or direct occupational therapy services. *Id; Exhibit C, pp. 56-58.*

F. Student A's December 2025 PWN

29. On December 19, 2025, Coordinator emailed Parents a PWN describing the determinations made at the December 2025 IEP meeting. *Exhibit Q, p. 44.*
30. The PWN describes that at the December 9 and December 18 meetings, the team revisited the need for direct occupational therapy services and specialized transportation, determining that it would not provide those services. *Exhibit C, p. 56.* It also described the accommodations the team agreed to add to the IEP. *Id.* at pp. 56-57.
31. The PWN described the data relied upon to reach this determination, such as a review of the existing data from the IEE as well as District's evaluation. *Id.* at p. 57.

32. The PWN described other options considered, including a potential change to Student A's eligibility categories and the reasons that change was not made, District's proposal—declined by parents—that Student A receive social skills instruction in a "lunch bunch" group, and described the rationale underlying the team's determination that Student would not receive specialized transportation. *Id.* at pp. 57-58. Additionally, it described the team's discussion of the various occupational therapy assessments administered and the ultimate determination that Student A would receive indirect occupational therapy services. *Id.* at p. 58.
33. The PWN described other factors considered, including Student A's social skills, her ability to use straws in the lunchroom, and her handwriting grip. *Id.*
34. The PWN includes a statement noting that Parents have protection under the procedural safeguards and directing Parents to contact Coordinator for a copy of the procedural safeguards or for assistance in understanding that document. *Id.*

G. Student B's Evaluation

35. During the summer of 2025, Parents and District agreed that a District-funded IEE would be conducted with respect to Student B, and that District would also conduct a re-evaluation of Student B, with both evaluations to be considered at an eligibility meeting to be held prior to January 2026. *Interviews with Parent and Coordinator; Exhibit L*, pp. 1-2.
36. On September 1, 2025, Parents signed an evaluation consent form agreeing that Student B would be re-evaluated in the areas of communication, academics, health, and motor abilities. *Exhibit L*, p. 1. Later in the year, Parents agreed to amend the consent to also include a social-emotional component to District's evaluation. *Interview with Coordinator*.
37. An eligibility meeting for Student B was scheduled for December 8, 2025. *Exhibit 4*.
38. On December 7, 2025, Student B's speech-language pathologist emailed Parents a copy of District's evaluation report for Student B. *Exhibit Q*, p. 26.
39. The evaluation report included 47 pages of information and data stemming from the assessments administered to Student B during the evaluation. *Exhibit L*, pp. 5-51.
40. The evaluation report contains extensive data regarding Student B's motor skills and sensory processing. *Id.* pp. 41-49.
41. Parent described her concern with the completeness of the evaluation report as stemming not from the data included in the body of the evaluation report, but rather from the "Evaluation Summary" section at the end of the report, which concisely summarizes the results of each assessment described in the body of the report. *Interview with Parent*.
42. Under the subsection of this summary labeled "Fine Motor/Sensory," the evaluation report reads: "Summary Pending." *Id.* p. 50.

43. An updated version of the evaluation report was sent to Parents on December 16, 2025, prior to the second session of Student’s eligibility meeting. *Exhibit Q*, p. 40. That evaluation report’s summary section includes a summary of the motor skills and sensory processing assessments described in the body of the report. *Exhibit T*, p. 46.

H. Student B’s December 2025 Eligibility Meeting

44. On December 8, 2025, a MDT including Parents, Special Education Teacher B, Coordinator, Director, Student B’s general education teacher, Student B’s speech-language pathologist, an occupational therapist, a school psychologist, and Student B’s advocate convened to review Student B’s IEE and District’s evaluation of Student B, and determine whether Student B qualified for special education and related services. *Exhibit K*, p. 6.

45. During the first portion of the meeting on December 8, 2025, the MDT reviewed and discussed the two evaluations, including data related to Student B’s motor and sensory skills, but were unable to complete the determination of eligibility in the allotted time. *Interviews with Special Education Teacher B, Coordinator, and Director*. As a result, the MDT agreed to reconvene on December 17, 2025. *Id.*; *Exhibit 4*.

46. Prior to the second portion of the meeting on December 17, 2025, District prepared a document comparing and contrasting the IEE and the District evaluation’s data relating to each of Student B’s areas of suspected disability. *Id.* at pp. 7-19.

47. At the second portion of the meeting, the MDT determined that Student B was able to receive reasonable educational benefit from general education alone—as a result, the MDT found that he was no longer eligible for special education and related services. *Exhibit Q*, p. 36.

I. Student B’s December 2025 PWN

48. On December 19, 2025, Coordinator emailed Parents a PWN describing the MDT’s determination that Student B was not eligible for special education and related services. *Exhibit Q*, p. 44.

49. Parents replied to the email, requesting a revision to the PWN clarifying their disagreement with the MDT’s determination. *Id.* On January 5, 2026, Coordinator sent Parents an updated PWN with the requested revision. *Id.* at p. 45.

50. The PWN described that the MDT determined that Student B no longer met the eligibility requirements for special education and related services. *Exhibit J*, p. 2.

51. The PWN stated that the reason for this determination was that Student B “is currently accessing, engaging and making progress in the school environment with the support of breaks throughout the school day and additional literacy support by the classroom teacher through his READ plan.” *Id.*

52. The PWN listed each of the 27 assessments that were conducted and considered during the eligibility meeting. *Id.* at p. 2-3. It also summarized the results of both the District evaluation and the IEE, describing the areas of agreement and tension between them. *Id.* Specifically, the PWN describes that both the IEE and District evaluation identify motor skills as a strength for Student B, and that Student B exhibits “minimal-mild sensory processing difficulties within the school setting but not to the extent that direct services would be required.” *Id.*
53. The PWN described other options considered by the MDT, specifically noting the recommendations of some of Student B’s private providers and Parents, including related to occupational therapy. *Id.* at p. 3. The PWN noted that Student B was making progress in the general education curriculum, and the fact that he is receiving private services does not suffice to qualify him for special education eligibility. *Id.* Per the revision requested by Parents, the PWN describes that Parents disagree with this determination. *Id.* at pp. 3-4.
54. The PWN described the other factors considered by the MDT, describing the differences between the needs and behaviors described in the home setting versus those observed in the school setting. *Id.* at p. 4. The PWN described that the MDT also discussed whether he might benefit from a 504 plan or support from a general education mental health provider and noted that if Student B’s needs in the school environment change, a new MDT could be convened to reconsider Student B’s eligibility for special education and related services. *Id.*
55. The PWN includes a statement noting that Parents have protection under the procedural safeguards and directing Parents to contact Coordinator for a copy of the procedural safeguards or for assistance in understanding that document. *Id.*

CONCLUSIONS OF LAW

Based on the Findings of Fact, the CDE enters the following CONCLUSIONS OF LAW:

Conclusion to Allegations No. 1 and 2: District provided Parents with PWNs for Students A and B in November and December 2025 within a reasonable time before District proposed or refused actions regarding the provision of FAPE, as required 34 C.F.R. § 300.503. District complied with IDEA.

Parent alleges that District’s PWNs for Students A and B following meetings in November and December 2025 were insufficient. (FF # 5).

A. Legal Requirements for PWN

A district must provide the parents of a child with a disability a PWN whenever it proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child, or when it refuses to take any of those actions. 34 C.F.R. § 300.503(a).

PWN must be issued a reasonable time before a district proposes or refuses to change “the educational placement of the child or the provision of FAPE to the child.” 34 C.F.R. § 300.503(a). PWN must include: (1) a description of the action proposed or refused by the district; (2) an explanation of why the district proposes or refuses to take the action; (3) a description of each evaluation procedure, assessment, record, or report used by the district as a basis for the action; (4) a statement that the parents of a child with a disability have protections under the procedural safeguards, and the means by which a copy of a description of the procedural safeguards can be obtained; (5) sources for parents to contact to obtain assistance in understanding the information; (6) a description of other options the IEP team considered and the reasons why those options were rejected; and (7) a description of any other factors relevant to the district’s proposal or refusal. 34 C.F.R. § 300.503(b)(1-7). The notice must be “written in language understandable to the general public.” *Id.* at § 300.503(c).

B. Student A’s November 2025 PWN

On November 17, 2025, Student A’s IEP team convened to develop a new IEP in light of recent evaluations and the MDT’s determination that she was eligible for special education and related services. (FF #s 13-16.) At the meeting, following consideration and discussion of the evaluative data, the IEP team determined that Student A’s IEP would not include specialized transportation as a related service, and that it would provide Student A with indirect occupational therapy services. (FF # 16.)

That evening, Special Education Teacher A sent Parents a copy of a PWN describing the IEP team’s determinations at that day’s meeting. (FF # 17.) Following a request by Parents, District revised the PWN to include additional parental input and issued an updated PWN on November 19, 2025. (FF # 18.)

The PWN describes the actions proposed and refused by District—it describes the determinations made in developing the IEP, and the requests from Parents that the team ultimately declined. (FF #s 19, 21-22.) It explains why District chose this course of action—describing the questions the team analyzed and the reasons it reached its determinations. (FF #s 21-22.) It describes the procedures, records, assessments and reports relied upon to make the determination—listing the many assessments from both the IEE and District’s previous assessments it relied upon to make the call. (FF # 20.) It provided Parents with information regarding the procedural safeguards—telling them that they had protections under the safeguards, telling them how to obtain a copy, and directing them to Case Manager for questions. (FF # 23.) It addressed other options and described other factors considered by the team, explaining how each factored into the team’s decision. (FF #s 21-22.)

District’s PWN was written in plain language, and clearly articulated District’s proposed course of action so that Parent could make informed decisions regarding how she could participate in the IEP process. Notably, Parent responded to the issuance of this PWN by continuing to meaningfully participate in the process – asking questions, seeking revisions, and continuing the discussion of Student A’s needs into the December meetings. (FF #s 24-25.)

For these reasons, the CDE finds and concludes that District complied with 34 C.F.R. § 300.503.

C. Student A's December 2025 PWN

Following the issuance of the November 2025 PWN, Parent requested, and District granted, an additional meeting to further discuss Student A's needs and the results of data gathered in the evaluation process. (FF #s 24-25.) This meeting occurred in two parts on December 9, 2025, and December 18, 2025. (FF # 25.)

At the meeting, the team reviewed the IEE, District's evaluative data, and discussed the similarities and differences between their respective recommendations. (FF #s 26-27.) Although the team did not make changes to Student A's transportation or occupational therapy services, it added several accommodations to the IEP to address Parents' concerns related to their observations of Student A's fatigue. (FF # 28.)

Following this meeting, District issued another PWN describing the decisions made at the December meeting. (FF # 29.) The PWN describes the changes made to Student A's IEP, and notes that although the team discussed transportation and occupational therapy, it did not change Student A's services. (FF # 30.) It described the data relied upon to make this determination, noting that the team reviewed the IEE report as well as data collected during District's evaluation of Student A. (FF # 31.) It extensively described other options considered, including Parents' request for transportation and direct occupational therapy services, and described the reason the team did not agree to those requests. (FF # 32.) It described other factors considered including Student A's social skills and factors related to motor skills. (FF # 33.) Like the previous PWN, it contained information notifying Parents of the procedural safeguards and directing them to contact Coordinator for assistance in obtaining a copy or understanding their rights. (FF # 34.)

This PWN contains each of the elements required by IDEA. It describes the proposals accepted and rejected by the team and gives detailed rationale for those determinations. (FF #s 30, 32.) It describes the data relied upon in making those determinations. (FF # 31.) It describes other options considered and other factors considered. (FF #s 32-33.) Finally, it gives Parents the information they need to pursue their rights under the procedural safeguards. (FF # 34.)

Finally, in addition to the sufficiency of the contents of the PWN, the Record shows that the PWN enabled Parents to meaningfully continue their participation in the special education process and exercise their rights under the procedural safeguards. Indeed, following the issuance of this PWN, Parents filed this Complaint.

For these reasons, CDE finds and concludes that District complied with 34 C.F.R. § 300.503.

D. Student B's December 2025 PWN

Following an agreement between Parents and District, District evaluated Student B and funded an IEE, with the intention that both would be reviewed at an eligibility meeting once complete.

(FF #s 35-36.) That eligibility meeting took place on December 8 and December 17, 2025. (FF # 45.)

During the eligibility meeting, the MDT reviewed both evaluations, compared the data from each, and ultimately determined that Student B was able to receive benefit from general education alone, leading the team to conclude that Student B was no longer eligible for special education and related services. (FF # 47.)

Following this meeting, District issued a PWN reviewing the determinations made at the meeting. (FF # 48.) The PWN described that the MDT had found Student B ineligible and stated that the reason for that determination was that Student B was “accessing, engaging and making progress in the school environment.” (FF #s 50-51.) It listed the 27 assessments conducted with respect to Student B through the course of the IEE and the District evaluation and described the way in which the team considered the data from those assessments. (FF # 52.) It described other options considered by the MDT, including the recommendations of Parents and Student B’s private providers, and described why those options were not agreed upon. (FF # 53.) It also described the other factors considered by the MDT, including Parents’ reports of Student B’s behaviors and needs in the home setting, and noting that Student B might benefit from a 504 plan. (FF # 54.) Finally, it provided Parents with information regarding the procedural safeguards and how to obtain assistance understanding them. (FF # 55.)

The Record shows that this PWN contained all components required by IDEA. It described the determinations made by the team and explained the rationale underlying those determinations. (FF #s 50-51.) It detailed the assessments considered by the MDT. (FF # 52.) It describes other options considered, and other factors considered by the MDT. (FF #s 53-54.) And it provides Parents with information regarding their rights under the procedural safeguards. (FF # 55.)

Overall, this PWN enabled Parents to meaningfully participate in the special education process. Following their receipt of this PWN, Parents requested revisions to the PWN to document their disagreements with the MDT’s determination, and as noted above, filed this Complaint. (FF # 49.)

For these reasons, CDE finds and concludes that District to complied with 34 C.F.R. § 300.503.

Conclusion to Allegation No. 3: District conducted a comprehensive evaluation of Student B in all areas related to the suspected disability—specifically, assessing Student B in the areas of fine motor and sensory skills—as required by 34 C.F.R. § 300.304(c)(4). District complied with IDEA.

Parent’s concern stems from her observation that the copy of evaluation report delivered to her on December 7, 2025, contained a paragraph in the “Evaluation Summary” section at the end of the report which reads: “Summary pending.” (FF #s 41-42.)

A. Legal Requirements: Evaluation Procedures

The IDEA requires an evaluation to assess students “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.” 34 C.F.R. § 300.304(c)(4). “This is not an exhaustive list of areas that must be assessed. Decisions regarding the areas to be assessed are determined by the suspected needs of the child.” 71 Fed. Reg. 46,643 (Aug. 14, 2006). The evaluation itself must be “sufficiently comprehensive to identify all of the child’s special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.” 34 C.F.R. § 300.304(c)(6). In conducting the evaluation, school districts must “gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist in determining” the “content of the child’s IEP, including information related to enabling the child to be involved in and make progress in the general education curriculum.” *Id.* § 300.304(b)(1)(ii). Once a school district has conducted these assessments, it must ensure that the “information obtained from [...] these sources is documented and carefully considered” in determining if a child is a child with disability. 34 C.F.R. § 300.306(c)(1)(ii).

B. Student B’s Evaluation

Here, the Record shows that the evaluation conducted by District included assessments related to Student B’s motor and sensory abilities—the evaluation report issued December 7, 2025 contains extensive data stemming from District’s assessments of Student B’s skills in these areas. (FF #s 39-40.) Parent’s concern in this matter relates not to the absence of that assessment data, but to the absence of a summary paragraph at the end of the report concisely reviewing the included assessment data. (FF #s 41-42.) That summary paragraph was added in a subsequent version of the report provided to Parents on December 16, 2025, prior to the MDT’s determination of Student B’s eligibility for special education and related services. (FF # 43.)

Here, the version of the evaluation report provided to Parent on December 7, 2025, contains eight pages of descriptions of the data from the motor and sensory assessments administered to Student B. (FF # 40.) During the portion of the meeting on December 8, 2025, the MDT reviewed with parents the assessment data collected as part of both the IEE and the District’s evaluation, including data related to Student B’s motor and sensory skills. (FF # 45.) Following the December 8 session but prior to the December 17 session at which the determination of Student B’s eligibility would take place, District provided a version of the evaluation report including the summary paragraph related to Student B’s motor and sensory assessments. (FF # 43.) Finally, the PWN for the December eligibility meeting indicates that Student B’s motor and sensory skills were described during the meeting in a manner accessible to Parents, and that Parents offered recommendations related to those concerns, demonstrating their ability to meaningfully participate. (FF #s 52-53.)

For these reasons, CDE finds and concludes that District performed a comprehensive evaluation of Student B in all areas of suspected disability—specifically including motor and sensory skills—in compliance with 34 C.F.R. §§ 300.304(c)(4) and 300.306(c)(1)(ii).

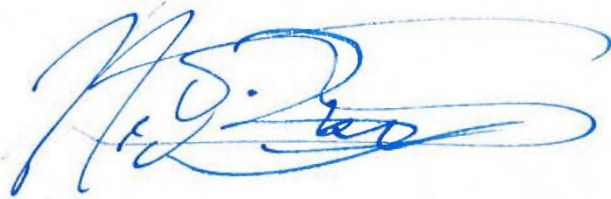
REMEDIES

The CDE concludes that District complied with IDEA. Accordingly, no remedies are ordered.

CONCLUSION

The Decision of the CDE is final and is not subject to appeal. *CDE's State Complaint Procedures*, Section E, ¶ 2. If either party disagrees with this Decision, the filing of a Due Process Complaint is available as a remedy provided that the aggrieved party has the right to file a Due Process Complaint on the issue with which the party disagrees. *Id.*; see also 34 C.F.R. § 300.507(a); 71 Fed. Reg. 156, 46607 (August 14, 2006). This Decision shall become final as dated by the signature of the undersigned State Complaints Officer ("SCO").

Dated this 9th day of March, 2026.



Nick Butler
State Complaints Officer

APPENDIX

Complaint, pages 1-34

- Exhibit 1: Documentation related to Student A
- Exhibit 2: Documentation related to Student B
- Exhibit 3: Timeline of meetings related to Student A
- Exhibit 4: Timeline of meetings related to Student B

Response, pages 1-8

- Exhibit A: Student A IEPs
- Exhibit B: Student A Notices of Meeting
- Exhibit C: Student A PWNs
- Exhibit D: Student A Meeting Documentation
- Exhibit E: Student A Evaluations and Assessments
- Exhibit F: Student A Progress Monitoring
- Exhibit G: Student A Schedule, Grades, and Attendance
- Exhibit H: Student B IEP
- Exhibit I: Student B Notices of Meeting
- Exhibit J: Student B PWNs
- Exhibit K: Student B Meeting Documentation
- Exhibit L: Student B Evaluations and Assessments
- Exhibit M: Student B Progress Monitoring
- Exhibit N: Student B Schedule, Grades, and Attendance
- Exhibit O: District Calendar
- Exhibit P: District Policies and Procedures
- Exhibit Q: Correspondence
- Exhibit R: District staff with knowledge related to Complaint allegations
- Exhibit S: Verification of Delivery of Response
- Exhibit T: December 16, 2025 version of Student B Evaluation Report

Telephone Interviews

- Parent: February 4, 2026
- Coordinator: February 11, 2026
- Special Education Teacher A: February 11, 2026
- Special Education Teacher B: February 11, 2026
- Director: February 11, 2026