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

State Complaint SC2026-621
Mapleton Public Schools

DECISION

INTRODUCTION

On July 27, 2026, the parent ("Parent") of a student ("Student") identified as a child with a disability under the Individuals with Disabilities Education Act ("IDEA")[1] filed a state complaint ("Complaint") against Mapleton Public Schools (Adams 1) ("District"). The Colorado Department of Education ("CDE") determined that the Complaint identified two 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 not more than one year prior to 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 July 27, 2025. Information prior to July 27, 2025 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. District did not develop, review, and revise an Individualized Education Program ("IEP") for Student that included measurable annual goals designed to meet the needs that result

[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.

from her disability, specifically in the area of social and emotional wellness, from August through November 2025, as required by 34 C.F.R. § 300.320(a)(2).

2. District did not implement Student's IEP because it did not make the IEP accessible to teachers or service providers responsible for its implementation, from August to November 2025, as required by 34 C.F.R. § 300.323(d).

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 attended tenth grade at a District high school ("School") during the fall of the 2025-2026 school year. *Reply*, p. 1.

2. Student is eligible for special education and related services as a child with a serious emotional disability ("SED"). *Exhibit A*, p. 1. Student's difficulties with both emotional regulation and executive functioning have "a significant impact on her social-emotional and academic performance." *Id*. at p. 4. Student's pragmatic language is mildly impaired, and Student uses her pragmatic language skills with "only a select few [teachers] with whom she feels comfortable." *Id*. at p. 9.

3. Student is "relationship-driven and does better in classes where she feels supported and connected to her teacher." *Exhibit A*, p. 3. She also enjoys and excels at working with younger children. *Interviews with Parent and School's social worker ("Social Worker")*.

4. In this Complaint, Parent alleges that District did not develop appropriate social-emotional goals for Student or ensure that staff were aware of their responsibilities under Student's IEP during the 2025-2026 school year. *Complaint*, pp. 4-5.

B. District Policies, Practices, and Procedures

5. District has a written special education "Policies, Procedures, and Practices" manual ("Procedural Manual"). *Exhibit I*, pp. 18-118; *Interview with District's Executive Director of Integrated Services ("Director")*.

6. The Procedural Manual includes a section on IEP goals. *Exhibit I*, pp. 77-79. Annual goals must "outline specific, measurable skills or knowledge that a student with a disability is expected to achieve within a twelve-month period." *Id*. at p. 78. Goals can be academic or focused on

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

necessary behavioral or functional skills such as "social interaction, self-care, communication, and other life skills." *Id*.

7. All IEP goals must "[c]learly defin[e] what skill or knowledge the student will achieve." *Id*. Per the Procedural Manual, the goals offer a roadmap for staff to follow to ensure the student makes meaningful progress. *Id*. The Procedural Manual offers examples such as:

    - "By (month and year of next annual review), [Student] will independently use a schedule to transition between activities with 1 or less verbal prompt[s] for 80% of observed opportunities across 5 consecutive days of data collection."

    - "In order to be successful in post-secondary life in the field of car detailing, [by] (month and year of next annual review), [Student] will demonstrate improved organizational skills by completing and turning in classroom assigned tasks on time in at least 4 out of 5 occasions, as measured by teacher/staff observations, grades, and self-reflection check-ins."

    Id.

8. In addition, District special education administrators meet with the special education team leads from each building once or twice per month to review policies and procedures. *Interview with Director*. District also trains all special education staff members five times per year. *Id*. Meetings for both groups focus on common questions or areas of concern and cover IEP goal development and progress monitoring at least once per year. *Id*.

9. At the start of each school year, case managers, with the support of other special education staff, ensure all general education teachers have access to IEP snapshots, which include goals, accommodations, and services, for any students with whom they will be working. *Interview with Director*. In addition, staff often meet with any teachers who are new to the student to review the IEP at the start of the year. *Id*.

10. District has small schools that allow for frequent collaboration between general and special education staff. *Id*. If the IEP includes support inside of general education, special education staff use that time, in part, to observe how the IEP is being implemented. *Id*.

C. <u>May IEP</u>

11. At the start of the 2025-2026 school year, Student's IEP dated May 21, 2025 ("May IEP") was in effect. *Exhibit A*, pp. 1-23. This IEP was developed across four IEP Team meetings in Spring 2025 and finalized on May 23, with only two days left in the school year. *Response*, pp. 2-5; *Interview with Social Worker*.

Present Levels

12. The Present Levels section included a review of a reevaluation completed in May 2024. *Exhibit A*, p. 4. Student had difficulties with emotional and behavioral regulation and executive functioning. *Id*. Student "exhibit[ed] challenges in both literacy and mathematical skills." *Id*. She used her pragmatic language skills inconsistently. *Id*.

13. Student had made progress on her math goal and completed all of her assignments during second semester. *Id*. at p. 5. However, "avoidance behaviors," such as bathroom breaks and tardies, interfered with her attention to academics. *Id*. Avoidance behaviors also impacted her academic performance in language arts and an elective. *Id*. at p. 6. Student was tardy a total of 15 times second semester, down from 48 tardies first semester. *Id*. at p. 9.

14. Student had difficulty "expressing her needs when she [was] dysregulated or feeling stuck." *Id*. at p. 8. Teachers could not consistently determine if Student required academic support or a break. *Id*. Student needed support with "communicating her needs either verbally or in writing" prior to escalating. *Id*. She would "benefit from working on understanding her own triggers and warning signs to be able to intervene prior to becoming dysregulated." *Id*.

15. The Present Levels section also described the results of a functional behavioral assessment ("FBA") conducted in April 2025. *Id*. at pp. 8-11. The FBA identified three target behaviors: (1) non-compliance, such as saying no to academic or non-academic requests or not starting work within 30 seconds; (2) compliance with expectations around breaks and cellphone usage; and (3) elopement, defined as "[b]eing more than 5 feet away from an assigned area." *Id*. at p. 8; *Exhibit D.1*, 10:00-15:00.

16. The FBA found that Student exhibited "passive disengagement from academic tasks, characterized by frequent avoidance behaviors, late arrival, and low observable effort" on tasks. *Exhibit A*, p. 10. She also struggled to "sustain attention and complete assignments, particularly when transitions occur[red] or obstacles ar[ose]." *Id*.

17. While nondisruptive, Student's behaviors, including asking to work outside the classroom, "may impede [her] academic progress." *Id*. Data collected for the FBA showed that Student was out of class an average of three times per day for a total of eight hours and fifty-five minutes over a one-month period. *Id*.

18. The IEP Team had a detailed discussion about Student's needs and the impact of her disability. *Exhibit D.1*, 45:00-51:20. Ultimately, the IEP stated that Student's "academic progress fluctuate[d] based on mood, effort, willingness, attendance, and/or stamina." *Exhibit A*, p. 13. Student also had challenges with multiple areas of executive functioning including impulsivity, tolerating changes in routine, initiating, sustaining, working memory and organizing materials. *Id*. Student benefited from "individual working conditions" such as a hallway or quiet corner without distraction. *Id*. at p. 12.

Annual Goals

19. The May IEP included two social-emotional goals and one self-determination goal. *Id*. at pp. 15-16. Parent's concern is that the first social emotional goal and the self-determination goal focused on Student's compliance with School rules and were not "sufficiently individualized to appropriately address her disability-related needs." *Reply*, p. 3.

20. Student's first social-emotional goal was intended to help Student to identify her own body signals to differentiate when she needs a break from when she needs to use the restroom. *Exhibit D.4*, 4:00-8:25. The goal was to "demonstrate the ability to independently access coping skills learned during services with mental health provider, as measured by duration of time spent in/out of class" daily. *Exhibit A*, p. 15. This goal had two objectives: (1) Student would "identify at least 3 body signals that allow her to predict a dysregulated" state, up from zero; and (2) Student would "name at least 5 strategies she [could] use within the school day to regulate," up from two. *Id*. at pp. 15-16.

21. With a baseline of 36 minutes per day, this goal would be measured by time out of class, because if she was accessing coping skills, she would be able to stay in class more. *Id*.; *Exhibit D.4*, 4:00-8:25. Parent objected to this goal on the grounds that additional time in class might indicate fear of missing class rather than reduced distress. *Reply*, p. 4.

22. Student's second social-emotional goal was to "seek support from a trusted adult, who [would be] selected by [Student], before feelings of frustration or anger escalate" 80% of the time, across settings. *Exhibit A*, p. 16. District and Parent agree that this was an appropriate, measurable goal for Student. *Response*, p. 9; *Reply*, p. 4.

23. After conducting the FBA, District's board certified behavior analyst ("District BCBA") proposed a new self-determination goal to increase a replacement behavior (compliance) for the target behavior in the FBA (noncompliance). *Exhibit D.3*, 64:00-73:00. Parent disagreed with focusing on "compliance" instead of acknowledging the behavior as avoidance. *Id*. District explained that compliance was more objective and measurable, as "avoidance" could be defined differently. *Id*.

24. Ultimately, Student's new self-determination goal was to "increase the frequency of following directions and expectations within the school environment" from 50% to "80% or more of observed opportunities." *Exhibit A,* p. 16. This goal had three objectives to be measured in one week increments in core classes: (1) Student would "turn in at least 90% of assignments"; (2) Student would "arrive to class on time 90% of the time"; and (3) Student would remain in "classes for the duration of the class period (with the exception of scheduled breaks) 90% of the time." *Id*.

Special Education and Related Services and Supplementary Aids and Services

25. The May IEP listed 21 accommodations, including: (1) providing "clear and consistent behavioral expectations" and ensuring "[Student] has an understanding of each classroom's systems, structures, and procedures"; (2) providing "step-by-step directions" and ensuring Student understood directions by "asking follow-up questions"; (3) giving extended time on tests and assignments; (4) offering an "[o]ption for oral presentation" and "use of Text-to-Speech"; and (5) giving Student the "[o]ption to work independently outside the classroom in a location that can be easily monitored/supervised by school staff." *Id*. at p. 17.

26. The May IEP also included the following services: direct instruction from a mental health provider to improve Student's "distress tolerance", indirect mental health services, and direct instruction from a special education teacher "to support the development of her executive functioning skills." *Id*. at p. 19. Student's least restrictive environment was general education at least 80% of the time. *Id*. at p. 20.

Behavior Intervention Plan

27. The IEP Team also developed a new BIP ("May BIP") based on the FBA. *Id*. at p. 24. Student's behaviors of concern were "direction refusal, verbal aggression, excessive breaks, and accessing personal electronics without permission." *Id*. The behaviors were hypothesized to allow Student "to escape and avoid non-preferred tasks or to access a preferred tangible object (typically personal electronics)." *Id*.

28. The behavior goals mirrored Student's second social-emotional goal, to seek support from a trusted adult before escalating, and the self-determination goal in the May IEP. *Compare*, *id*. at pp. 16-17, 25. The criteria for success were: (1) increasing "help seeking behaviors and communicat[ing] more consistently"; (2) advocating "for her wants and needs in the moment"; (3) arriving to class on time; and (4) "increase[ing] her ability to cope with discomfort." *Id*. at p. 25.

29. The May BIP listed setting event strategies to reduce the impact of setting events, antecedent strategies to decrease the likelihood that behavior would occur, behavior teaching strategies for replacement behaviors and reinforcement strategies. *Id*. at p. 26. This included: (1) teaching and promoting "learned de-escalation techniques and tools"; (2) teaching and practicing her "ability to anticipate triggers and warning signs so she can seek support and use strategies" instead of avoiding; (3) "[v]erbal cues to assist her to identify her emotions and state of regulation"; (4) time to process on her own in a monitored space; and (5) the option to requests breaks verbally or nonverbally, to be taken with preferred adults or in a supervised "safe area" that was to be determined by staff in collaboration with Student. *Id*.

D. May IEP: Accessibility to Teachers and Others

30. Generally, school staff return one week before students every fall. *Interview with Social Worker*. During that time, general education teachers meet in small groups with the special education staff to talk about students on their caseload. *Id*. For all students with BIPs, Social Worker meets with their teachers directly to review individual BIPs. *Id*. Social Worker, who is also School's special education team lead, monitors grades and incident reports throughout the year to see where students might be struggling. *Id*.

31. In this case, after the May IEP was finalized, Social Worker provided all of Student's teachers with a copy electronically and met with them in person to answer any questions. *Id*. In August, staff reviewed the May IEP during the teacher work week, and Social Worker sat down with all of Student's teachers to review the May IEP and BIP together. *Id*.; *Exhibit G*, p. 9. During that time, Social Worker highlighted some important accommodations for Student, like not redirecting her in front of peers and allowing her to get a pass for her designated break spots at any time. *Interview with Social Worker*. School's Principal ("Principal") emailed electronic copies to everyone after the meeting. *Exhibit G*, p. 9.

32. In her Complaint, Parent asserted that teachers were not aware of the May IEP, because they would not allow her to work in the hallway when she asked. *Complaint*, p. 5; *Interview with Parent*. This was something Student consistently requested during class. *Exhibit B*, p. 6.

33. During the spring IEP meetings, Parent asked for Student to be able to work independently in the hallway. *Exhibit D.2*, 23:45-26. A learning style assessment previously administered by District identified that Student could be distracted by social working environments and recommended "individual working conditions" such as "the hallway, a corner of a room, or a similar distraction-fee workspace." *Exhibit A*, p. 12. Although that assessment was included in the transition section of Student's IEP, District noted that working in the hallway was not included as an accommodation in the prior IEP. *Id.*; Exhibit *D.2*, 23:45-26.

34. After that discussion, the May IEP required the "[o]ption to work independently outside the classroom in a location that can be easily monitored/supervised by school staff." *Exhibit A*, p. 17. The May BIP indicated that Student and staff would "develop a list of safe and supervised locations" to provide to her teachers. *Id*. at p. 30. Neither the May IEP nor May BIP included an accommodation explicitly requiring that Student be allowed to complete schoolwork in the hallway. *Id*. at pp. 1-31.

35. On August 14, 2025, Social Worker met with Student to develop the list and followed up with Parent. *Exhibit J*, p. 20. The spaces available to Student included the "Wellness Space," a room next to the Wellness Space, and Social Worker's office. *Id*. The Wellness Space was a "nook" in the hallway staffed by building support staff like Social Worker, where students could take a break or get support. *Interviews with Social Worker and Principal*.

36. Thus, the CDE finds that the May IEP did not include an accommodation explicitly requiring that Student be allowed to complete work in the hallway and her teachers were not required to permit it.

E. Student's Progress During Fall 2025

37. Student passed all her classes with Bs and Cs in fall 2025. *Exhibit F*, p. 2.

38. Student also made progress on all three of her annual IEP goals. *Exhibit G*, pp. 4, 9-11. For her first social-emotional goal, Student spent an average of 20 minutes per day out of class, as compared to a baseline of 36 minutes per day. *Id.* On her second social-emotional goal, Student had identified a trusted adult and had no behavioral referrals or disciplinary events in the first quarter of the school year. *Id.* at p. 5. Finally, Student made progress on the three objectives for the self-determination goal. *Id*. at p. 6. She turned in 95% of her work, was on time to classes at least 90% of the time, and remained in class at least 80% of the time *Id*.

F. November IEP

39. On November 14, 2025, Parent, Student, and a group of School and District administrators met to discuss Student skipping her mental health services, as well as other concerns. *Exhibit A*, p. 52; *Exhibit D.6*, 0:00-17:30, 21:10-55:55; *Response*, p. 6.

40. Ultimately, Parent and Student requested to remove all direct services from the May IEP, so Student could "prioritiz[e] receiving general education instruction." *Response*, p. 6; *Exhibit D.6*, 43:10-55:55. Noting that Student had been making progress even without participating in the services, District agreed to eliminate the direct mental health services, increase the indirect mental health services to support consultation with general education staff, and change the special education instruction "from weekly direct services to monthly indirect services." *Response*, p. 6; *Exhibit A*, pp. 50, 52; *Exhibit D.6*, 43:10-55:55.

41. Parent and Director agreed not to convene the IEP Team and, instead, amended the May IEP in writing. *Exhibit D.6*, 43:10-55:55. In light of the changes to Student's services, District also revised Student's first social-emotional goal to remove the clause regarding coping skills "learned during services with mental health provider." *Exhibit C*, p. 4; *Exhibit A*, p. 46. As amended, the goal read: "In order to be successful in a post secondary environment and increase distress tolerance, [Student] will demonstrate the ability to independently access coping skills, as measured by duration of time spent in/out of class on a daily basis for no longer than 15 minutes per day." *Exhibit C*, p. 4; *Exhibit A*, p. 46. The goal no longer had objectives. *Exhibit C*, p. 4; *Exhibit A*, p. 46; *Response*, pp. 6-7.

42. The second social-emotional goal remained substantively unchanged; the amendment made only a minor adjustment to when progress would be monitored. *Compare*, *Exhibit A*, pp. 16-17, 47-48.

43. No changes were made to the self-determination goal or the accommodations. *Id.* Parent continued to object to the first and third goals on the basis that the goals were not sufficiently individualized to Student's needs and time spent in class was not an accurate measure of her distress tolerance. *Reply*, pp. 3-4.

44. Two school days later, Student transferred to a new school in another district. *Reply*, pp. 2-3; *Interview with Parent*.

CONCLUSIONS OF LAW

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

Conclusion to Allegation No. 1: From August through November 2025, District developed, reviewed, and revised an IEP for Student that included measurable social-emotional and self-determination goals designed to meet the needs that result from Student's disability, as required by 34 C.F.R. § 300.320(a)(2). District complied with the law.

I. IEP Development: Legal Requirements

The IDEA requires a school to offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances. *Endrew F. ex rel. Joseph F. v. Douglas Cty. Sch. Dist. RE-1*, 580 U.S. 386, 399 (2017). An analysis of the adequacy of an IEP begins with the two-prong standard established by the United States Supreme Court in *Board of Education v. Rowley*, 458 U.S. 176 (1982). The first prong determines whether the IEP development process complied with the IDEA's procedures; the second prong considers whether the IEP was reasonably calculated to enable the child to receive an educational benefit. *Rowley*, 458 U.S. at 207. If the question under each prong can be answered affirmatively, then the IEP is appropriate under the law. *Id.* Taken together, these two prongs assess whether an IEP is procedurally and substantively sound.

Regarding the second prong, the substantive adequacy of an IEP depends on whether the IEP was appropriate when drafted and not upon consideration of subsequent information. *Roland M. v. Concord Sch. Comm.*, 910 F.2d 983, 992 (1st Cir. 1990) ("An IEP is a snapshot, not a retrospective. In striving for 'appropriateness,' an IEP must take into account what was, and was not, objectively reasonable when the snapshot was taken."); *see also Tyler V., ex rel. Desiree V. v. St. Vrain Valley Sch. Dist. No RE-1J*, No. 07-CV-01094-PAB-KLM, 2011 WL 1045434, at *3-4 (D. Colo. Mar. 21, 2011). Moreover, the inquiry concerns "not whether the IEP was prescient enough to achieve perfect academic results, but whether it was 'reasonably calculated' to provide an 'appropriate' education." *Roland M.*, 910 F.2d at 992.

II. Development of the May IEP

The May IEP was developed more than one year before the Complaint was filed in July 2026. (FF # 11.) Thus, the CDE cannot consider the propriety of the IEP development process. 34 C.F.R. § 300.153(c); *CDE's State Complaint Procedures*, Section C, ¶ (2)(c). However, the CDE still has

authority to consider the propriety of the IEP itself. An IEP that does not comply with the requirements of the IDEA remains noncompliant each day that a school district implements the IEP, allowing the one-year time limitation to begin as late as the final day that IEP is in effect. *Weld Cnty. Sch. Dist. 6*, 81 IDELR 239 (SEA CO 2022). Thus, the CDE turns directly to the second prong regarding whether the IEP was substantively adequate. *Rowley*, 458 U.S. at 207.

III. Substantive Adequacy of the IEP

An IEP must include measurable goals designed to "[m]eet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum" and any other educational needs that result from the child's disability. 34 C.F.R. § 300.320(a)(2). To allow for the evaluation of a student's progress, IEP goals must be clear and objectively measurable. *Kuszewski v. Chippewa Valley Schs.*, 34 IDELR 59 (E.D. Mich. 2001), *aff'd*, 38 IDELR 63 (6th Cir. 2003, *unpublished*). Annual goals should be clear enough that a stranger, or person unfamiliar with the IEP, would be able to implement the goal, monitor student's progress on the goal, and determine whether that progress was satisfactory. *Sch. Dist. 49*, 125 LRP 27794 (SEA CO 2022); *see also Mason City Cmty. Sch. Dist.*, 46 IDELR 148 (SEA IA 2006).

If the goals are objectively measurable, they do not have to be written in the format preferred by a parent. *See Bridges v. Spartanburg Cnty. Sch. Dist. Two,* 57 IDELR 128 (D.S.C. 2011) (holding that the use of percentages tied to the completion of discrete tasks was an appropriate way to measure student progress). If the goals accurately identify the skill areas in which the student requires specialized instruction, they do not have to use specific words or the most expansive phrasing. *See Benjamin A. v. Unionville-Chadds Ford Sch. Dist.,* 70 IDELR 150 (E.D. Pa. 2017) (holding that a goal that addressed executive functioning skills was not deficient because it failed to use the term "executive functioning"); *see also Pikes Peak BOCES*, 124 LRP 34379 (SEA CO 2023) (finding that a goal focused on reducing disruptive behaviors, rather than building skills, was appropriate where it identified the areas where the student required instruction).

Also, IEP Teams are not required to include information "under one component of a child's IEP that is already contained under another component of the child's IEP." 34 C.F.R. § 300.320(d)(2). IEPs must be read as a whole (i.e., considered in their entirety) when determining a district's offer of FAPE. *See, e.g., Weld RE-5J*, 125 LRP 18446 (SEA CO 2025) (finding that a student's placement was a separate school even where the SDS described interim services and did not include a description of the services that would be provided in a separate school setting); *see also Los Angeles Unified Sch. Dist.*, 60 IDELR 29 (SEA CA 2012) (holding that a student's IEP required the provision of one-to-one assistance where it was mentioned at least once in the document).

In this case, the May IEP included three goals. (FF # 19.) Parent's concern is that two of them were not appropriately individualized to Student's needs. (*Id*.)

A. *Social-Emotional Goals*

Student's first social-emotional goal was to "independently access coping skills learned during services with mental health provider." (FF # 20.) The goal also included two objectives focusing on specific skills, including learning to identify: (1) body signals that indicate she is dysregulated; and (2) coping strategies she could use at school. (*Id*.) Student's progress on this goal would be measured by her time spent out of class, beginning from a baseline of 36 minutes out of class per day. (FF # 21.) This goal clearly identified the skills Student would be taught (available coping skills and when to use them) and who would teach them (the mental health provider). (FF # 20.) The goal offered a specific baseline and an objective unit of measure (time spent out of class). (FF # 21.) It aligned with needs identified in the May IEP, specifically Student's work avoidance and difficulty expressing her needs in those moments. (FF #s 12-18.) To the extent Parent contends that factors other than improved use of coping skills and progress on the goal might increase Student's time in class, the IDEA requires that goals be measurable, not that districts identify a measurement that can control for all other factors. 34 C.F.R. § 300.320(a)(2).

Student's second social-emotional goal was to seek support from a trusted adult 80% of the time before escalating. (FF # 22.) Parent and District agreed that this goal was measurable and appropriate for Student's needs. (*Id*.)

For these reasons, the CDE finds and concludes that Student's social and emotional goals were measurable and designed to meet Student's needs, as required by 34 C.F.R. § 300.320(a)(2).

B. *Self-Determination Goal*

Student's self-determination goal was to "increase the frequency of following directions and expectations within the school environment," from 50% of the time to 80% of the time. (FF #s 23-24.) The goal had three objectives: (1) turning in 90% of assignments; (2) arriving to class on time 90% of the time; and (3) remaining in class 90% of the time other than scheduled breaks. (FF # 24.) District BCBA proposed this goal to increase Student's compliance. (FF # 23.) Parent disagreed with the focus on compliance, which District ultimately retained because it was objectively measurable. (*Id*.) Read individually, this goal does not identify the skills Student would be taught to meet the goal. However, IEPs must be read as a whole. *See Weld RE-5J*, 125 LRP 18446 (SEA CO 2025). These objectives aligned with the challenges identified in the FBA, including late arrival, lack of sustained attention, and avoidance through withdrawal. (FF #s 15-17.) Thus, the May IEP identified the specific areas of need to be addressed: sustained attention to academic class and work/classroom avoidance. (FF #s 12-18.); *Pikes Peak BOCES,* 124 LRP 34379 (SEA CO 2023). The goal also included units of measurement for each objective. (FF # 24.) For these reasons, the CDE finds and concludes that this self-determination goal was measurable and designed to meet Student's needs, as required by 34 C.F.R. § 300.320(a)(2).

IV. Legal Obligation to Review and Revise the May IEP

The IDEA requires a school to offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances. *Endrew F.*, 580 U.S. at 399. The IDEA does not promise a particular educational or functional outcome for a student with a disability, but it does provide a process for reviewing an IEP to assess achievement and revising the program and services, as appropriate, to address a lack of expected progress or changed needs. *Id.* To that end, school districts have an affirmative duty to review and revise a student's IEP at least annually. 34 C.F.R. § 300.324(b). However, the IDEA's procedures contemplate that a student's IEP may need to be reviewed and revised more frequently to address changed needs or a lack of expected progress. *See id.* §§ 300.324(a)(4)-(6), (b); *Endrew F.*, 580 U.S. at 391.

Here, Parent and Director agreed to amend Student's IEP in November 2025 to remove all direct services from Student's IEP. (FF #s 39-40.) In response to the change in services, her first social-emotional goal was revised to remove both objectives and the clause that Student would access coping skills "learned during services with mental health provider." (FF #s 20, 41.) The second social-emotional goal was substantively the same, and the self-determination goal was unchanged. (FF #s 42, 43.) Parent's concern is that both goals were inappropriate after the revisions. (FF # 43.) The goal described fewer skills without the objectives. (FF # 41.) Even so, the social-emotional goal continued to describe the area in which Student required specialized instruction—increasing distress tolerance by accessing coping skills—and was objectively measurable. (*Id.*) Thus, the CDE finds that the first social-emotional goal remained consistent with 34 C.F.R. § 300.320(a)(2). Similarly, the CDE finds that the unchanged social-emotional and self-determination goals continued to comply with 34 C.F.R. §300.320(a)(2). Accordingly, the CDE finds and concludes that District reviewed and, as appropriate, revised the annual goals in the May IEP, as required by 34 C.F.R. § 300.324(b).

Conclusion to Allegation No. 2: District ensured that Staff had access to and an understanding of their responsibilities for implementing the May IEP from August through November 2026, as required by 34 C.F.R. § 300.323(d). District complied with the law.

I. IEP Implementation: Legal Requirements

The IDEA seeks to ensure that all children with disabilities receive a FAPE through individually designed special education and related services pursuant to an IEP. 34 C.F.R. § 300.17; ECEA Rule 2.21. The IEP is "the centerpiece of the statute's education delivery system for disabled children . . . [and] the means by which special education and related services are 'tailored to the unique needs' of a particular child." *Endrew F.,* 580 U.S. at 399 (quoting *Honig v. Doe*, 484 U.S. 305, 311 (1988); *Rowley*, 458 U.S. at 181).

As soon as possible after an IEP is developed, school districts must implement the IEP by ensuring that: (1) teachers and related service providers responsible for implementation have access to and an understanding of their obligations under the IEP; and (2) special education and related services, including accommodations, are made available to the child in accordance with the IEP.

34 C.F.R. §§ 300.323(d), 300.323(c)(2). A school district must ensure that each regular education teacher, special education teacher, related services provider, and any other service provider responsible for implementing an IEP is informed of "his or her specific responsibilities related to implementing the child's IEP," as well as the "specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP." 34 C.F.R. § 300.323(d).

II. May IEP: Accessibility to Teachers and Others

Here, consistent with District practice, Social Worker reviewed Student's May IEP and BIP with all of her teachers at the start of the 2025-2026 school year. (FF #s 30-31.) Teachers also received an electronic copy of the documents. (FF # 31.) The Record does not demonstrate that any of Student's teachers lacked an understanding of their responsibilities under the May IEP or the supports required by it. (FF #s 30-35.)

Parent alleges that Student's teachers were not aware of accommodations in the May IEP, specifically because they would not allow Student to work in the hallway. (FF # 32.) However, while that was something Student frequently requested, the May IEP did not include an accommodation that explicitly required that Student be allowed to work in the hallway. (FF #s 32-36.) Instead, the relevant accommodation in the May IEP required Student to have the "[o]ption to work independently outside the classroom in a location that can be easily monitored/supervised by school staff." (FF # 34.) Consistent with the requirement in the May BIP, Student and Social Worker identified three available locations for Student to work independently: the Wellness Space in the hallway, a room next to the Wellness Space, and Social Worker's office. (FF #s 29, 35.) The hallway, other than the staffed Wellness Space, was not identified as a supervised location where Student could work independently. (*Id*.)

Thus, the CDE finds and concludes that District ensured all teachers and other providers were aware of their responsibilities under the IEP, consistent with 34 C.F.R. § 300.323(d).

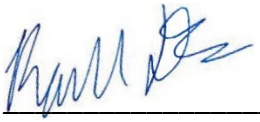
REMEDIES

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

CONCLUSION

The Decision of the CDE is final and is not subject to appeal. ECEA Rule 7.06(3); *CDE's State Complaint Procedures*, Section E, ¶ 2. If a party disagrees with this Decision, that party may file a Due Process Complaint if the law permits a due process hearing on the issue in dispute. ECEA Rule 7.06(3); *CDE's State Complaint Procedures*, Section E, ¶ 2; 34 C.F.R. § 300.507(a); 71 Fed. Reg. 46,607 (August 14, 2006). This Decision shall become final as dated by the signature of the undersigned State Complaints Officer.

Dated this 25th day of September, 2026.



Rachel Dore
Senior State Complaints Officer

APPENDIX

Complaint, pages 1-9

- Exhibit 1: Miscellaneous

Response, pages 1-13

- Exhibit A: IEPs
- Exhibit B: Evaluations
- Exhibit C: PWNs
- Exhibit D: Meeting documentation
- Exhibit D.1-D.6: Audio Recordings
- Exhibit E: Behavior Detail
- Exhibit F: Student Detail
- Exhibit G: Progress Report
- Exhibit H: District Calendar
- Exhibit I: District Procedures
- Exhibit J: Correspondence
- Exhibit K: Staff Contacts
- Exhibit L: Verification of Delivery

Reply, pages 1-13

- Exhibit 2: Verification of Delivery
- Exhibit 3: IEPs

Telephone Interviews

- Parent: September 10, 2026
- Director: September 11, 2026
- Social Worker: September 11, 2026
- Principal: September 11, 2026