

2025-26 Louisiana Special Education Formal State Complaint Decisions

This document contains a copy of the decisions of each Louisiana special education formal state complaint filed on or between July 1, 2025, and June 30, 2026. Each case filed during the relevant timeframe is included in the informational table below. If a decision has been issued, the decision will appear below. This document is updated at least monthly on the last business day of the month.

If you have any questions or concerns, please contact the Department at DisputeResolution.DOE@la.gov.

LDOE Case Number	Public Agency	Decision	Date of Decision
56-C-01	Tangipahoa Parish	Noncompliance	September 8, 2025
56-C-02	Terrebonne Parish	Withdrawn	August 7, 2025
56-C-03	St. Tammany Parish	Withdrawn	September 4, 2025
56-C-04	St. Charles Parish	Withdrawn	August 11, 2025
56-C-05	St. Tammany Parish	Withdrawn	September 4, 2025
56-C-06	Pointe Coupee Parish	Noncompliance	October 10, 2025
56-C-07	St. Landry Parish	Compliance	October 13, 2025
56-C-08	NOLA Public Schools	Compliance	October 14, 2025
56-C-09	Rapides Parish	Withdrawn	September 5, 2025
56-C-10	NOLA Public Schools	Pending	--
56-C-11	Rapides Parish	Compliance	October 27, 2025
56-C-12	Rapides Parish	Withdrawn	September 15, 2025
56-C-13	Iberia Parish	Compliance	October 31, 2025
56-C-14	West Baton Rouge Parish	Pending	--
56-C-15	Rapides Parish	Pending	--
56-C-16	East Baton Rouge Parish	Withdrawn	October 17, 2025
56-C-17	St. Landry Parish	Withdrawn	October 3, 2025
56-C-18	Livingston Parish	Withdrawn	October 8, 2025
56-C-19	Calcasieu Parish	Pending	--
56-C-20	Jefferson Parish	Pending	--
56-C-21	Ascension Parish	Withdrawn	October 9, 2025
56-C-22	East Baton Rouge Parish	Withdrawn	October 9, 2025
56-C-23	Acadia Parish	Withdrawn	October 10, 2025
56-C-24	Lafayette Parish*	Pending	--
56-C-25	Rapides Parish	Pending	--

56-C-26	East Baton Rouge Parish	Pending	--
56-C-27	East Baton Rouge Parish	Pending	--
56-C-28	Caddo Parish	Pending	--
56-C-29	St. Tammany Parish	Pending	--
56-C-30	Lafayette Parish	Pending	--
56-C-31	East Baton Rouge Parish	Pending	--
56-C-32	Lafayette Parish	Pending	--
56-C-33	Allen Parish	Pending	--
56-C-34	Allen Parish	Pending	--
56-C-35	Allen Parish	Pending	--
56-C-36	Ouachita Parish	Withdrawn	October 31, 2025

*Contains allegations only related to *Louisiana Revised Statute LA R.S. 17:173*

Louisiana Special Education Complaint Investigation

56-C-01





LOUISIANA DEPARTMENT OF EDUCATION

September 8, 2025



Rachel DiBenedetto
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Re: Findings-Decision in State Special Education Formal Complaint No. **56-C-01** on behalf of [REDACTED]

I. Introduction

On July 9, 2025, the complainant ("Parent") submitted a formal written request for a filed a Request for special education complaint investigation to the Louisiana Department of Education ("the Department") on behalf of [REDACTED] child ("Student"), who is enrolled in a school under the jurisdiction of the Tangipahoa Parish School System ("District"). The parent requested that the Department initiate an investigation pursuant to the state complaint procedures set forth in Louisiana Bulletin 1706 §§ 151 through 153.

II. Statement of the Case

In the complaint, the Parent alleges that the District violated the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 et seq.; the implementing federal regulations at 34 C.F.R. Part 300; the Louisiana Children with Exceptionalities Act, R.S. 17:1941 et seq.; and/or the Department's implementing regulations promulgated in Louisiana Bulletin 1706. Specifically the parent alleges the District:

1. Failed to convene an IEP Team meeting and apply the required eligibility criteria in determining the Student's need for Extended School Year (ESY) services, resulting in a unilateral denial communicated outside the IEP process and without affording the Parent an opportunity for meaningful participation; and
2. Failed to provide prior written notice in connection with the District's determination that the Student was ineligible for ESY, including failure to ensure that any written communication reflected an individualized analysis of the Student's needs, the data considered, and the rationale for the decision.

As the Department's assigned investigator, I have reviewed the complaint, the District's written response and all supporting documents submitted by both parties. The findings of fact and conclusions of law that follow are based on a comprehensive review of the submitted records and the applicable legal provisions. Pursuant to Louisiana Bulletin 1706 § 152(C), a formal complaint may only address alleged violations that occurred within the two years prior to the date that the complaint is received in accordance with §§ 151 through 153." The Department received the complaint on July 9, 2025. Therefore, the investigation was limited to alleged violations of law that occurred between July 10, 2023, and July 9, 2025.

III. Findings of Fact

At all times relevant to this complaint, the Student was enrolled at a District school and receiving special education under the classification of Other Health Impairments. The Student's IEP provided for thirty minutes of occupational therapy per week in the special education setting and ninety minutes per week of special education instruction in the regular education setting. Progress towards annual goals was to be measured by completion of targeted activities with at least 85% accuracy with cues, prompts and assistance in 6 out of 8 trials each grading period throughout the IEP year.

By email dated January 14, 2025, the Parent contacted the District expressing concerns regarding the Student's recent behavior at school which had been documented by the school and communicated to the Parent. The Parent stated that the behaviors reflected regression in social, behavioral, emotional, and communication functioning. In the same email, the Parent requested: (a) copies of any data that would be used to determine eligibility for Extended School Year (ESY) services; (b) renewal of [REDACTED] prior request for an Independent Educational Evaluation (IEE); and (c) the participation of a Board Certified Behavior Analyst (BCBA) at the next IEP Team meeting.

By email dated January 27, 2025, the District provided an initial notice of the Student's annual IEP meeting scheduled for February 6, 2025 at 2:00 p.m. to be held at Kids Haven. In a reply email, the Parent communicated that [REDACTED] would be unable to attend at the selected time and the District agreed to change the meeting time to 2:30. In an email dated January 30, 2025, the District notified the parent of a change in the meeting location and attached a second notice reflecting the new time and location. Additionally, by email dated February 4, 2025, the District provided a draft IEP to the parent. As scheduled, the meeting convened with the Parent in attendance. The Student's IEP was reviewed and revised to include specific social and emotional objectives to address the Student's behavior as well as incorporate additional accommodations and modifications. At the February 6, 2025 meeting, the IEP Team also reviewed the criteria for ESY, noting that the Student would be considered under Critical Point of Instruction (CPI) 1 and CPI 2. The IEP notes reflect that the Parent attended the meeting, but left before signing the IEP. The District noted in the IEP that the NPRA and a copy of the IEP was sent home to the parent in the student's communication folder. Additionally, a copy of the IEP and NPRA were provided during an in-person meeting on February 21, 2025.

On March 24, 2025, the District conducted screenings to determine if the Student met the eligibility criteria for ESYs under CPI1 and CPI2¹ and determined the Student was ineligible for services. By letter dated April 28, 2025—sent home from the school with the Student in their communication folder on April 30, 2025—the District notified the Parent of the Student's ineligibility for ESYs. The letter included a copy of the ESYs criteria documentation form and informed the Parent of their right to request an IEP Team meeting if they disagreed with the District's determination.

On July 9, 2025, the Parent filed the complaint that formed the basis of the Department's investigation.

IV. Conclusions of Law

Allegation 1

The Parent alleges the District made a unilateral decision to deny the Student's ESYs eligibility outside of the IEP process and without providing the Parent meaningful participation in the ineligibility determination.

¹ However, the record does not reflect that CPI2 criterion were applied. In the District's copy of the ESYs criteria documentation form provided to the parent selections were applied only for CPI1 and none for CPI2.

Pursuant to Bulletin 1706 §106(A)(2), ESY services must be provided only if the IEP Team determines, on an individual basis, that such services are necessary to ensure FAPE. In making this determination, the IEP Team must review all pertinent ESY criteria and relevant performance data, consistent with Bulletin 1530 §703(B). Eligibility decisions must be based on one or more of the following criteria: (1) Regression–Recoupment, (2) Critical Point of Instruction (CPI), or (3) Special Circumstances, as set forth in Bulletin 1530 §705. An IEP Team may defer the ESY eligibility decision until additional performance data is available, but the decision must be finalized prior to the onset of ESY services, pursuant to Bulletin 1530 §707(B)(4). When a student is determined ineligible for ESY services based on performance data, the district must provide written notification to the parent and inform them of their due process rights, as mandated by Bulletin 1530 §707(E). Additionally, school districts must ensure that parents are afforded the opportunity to participate in IEP Team meetings under Bulletin 1706 §322 and must issue Prior Written Notice of any proposals or refusals regarding FAPE in accordance with Bulletin 1706 §504.

In this case, the District notified the parent of the time and location of the IEP meeting 10 days prior to the scheduled meeting and then ensured the Parent was notified of the updated change of location and time approximately 7 days prior. The Parent received these notices—including a draft IEP sent via email February 4, 2025—and attended the February 6, 2026 IEP Team meeting. The District satisfied its obligation under Bulletin 1530 when the IEP Team reviewed the ESY criterion during the meeting—concluding criteria for CPI1 and CPI2 would be applied to the Student—prior to its determination of eligibility. The record is absent any evidence the Parent requested an IEP meeting to submit for review any new performance data prior to the screening and eligibility determination. As permitted by Bulletin 1530 §707(B)(4), the District analyzed the Student’s performance data on March 24, 2025 and determined that—based on CPI1—the Student did not meet eligibility criteria for ESY. Its subsequent April 28, 2025 notification letter to the Parent satisfied its obligation under §707(E) to inform the Parent of (1) the student’s ineligibility for ESY and (2) the Parent’s right to request an IEP meeting if they disagreed with the determination.

The Parent did not request an IEP meeting following the receipt of the ineligibility letter. Absent such request, the District was under no obligation to conduct an additional IEP meeting to review the results of the screening or reconsider the student’s eligibility. While it is within the Parent’s prerogative to leave an IEP Team meeting prior to its conclusion, their absence from the completion of an IEP review and any consequential lack of continued involvement in the meeting does not amount to a denial of meaningful participation, but rather a choice to simply no longer participate in the IEP Team meeting.

Thus, with respect to allegation 1, the Department finds the District did not act unilaterally to determine the student’s ESY ineligibility and the Parent was provided an opportunity to meaningfully participate in the determination. As such, the Department finds this portion of the allegation unsubstantiated.

Allegation 2

The Parent alleges the District failed to provide prior written notice in connection with the District’s determination that the Student was ineligible for ESY, including failure to ensure that any written communication reflected an individualized analysis of the Student’s needs, the data considered, and the rationale for the decision.

As outlined in Allegation 1, Bulletin 1530 §707(E) mandates that when a student is determined ineligible for ESY services based on performance data, Districts must provide written notification to the parent and inform them of their due process rights. Additionally, school districts must issue Prior Written Notice of any proposals or refusals regarding FAPE in accordance with Bulletin 1706 §504.

Here, the District was only mandated to issue a written notification of ineligibility to the parent. The April 28, 2025 ineligibility letter satisfied this obligation. The District was under no further obligation to provide an additional prior written notice because it was not refusing to provide ESY services to the student, but rather notifying the parent of the student's ineligibility for those services. As such, the Department finds this portion of allegation 2 is unsubstantiated.

However, at the February 6th meeting, the IEP Team concluded that the criteria for CPI1 and CPI2 would be applied to the Student. Yet, the record reflects that the Student was only screened under CPI1. Moreover, the ESY Criteria Documentation Form as well as the notification of ineligibility letter indicates the District only screened the Student's data under CPI1. Because special education and related services must be provided in accordance with the student's IEP, the failure to apply both CPI1 and CPI2 as directed constitutes a deviation from the IEP Team's decision.

Therefore, while the District provided notice compliant with Bulletin 1530§707(E), it failed to screen the Student for eligibility for ESY services under CPI2 as required in the Student's IEP. For this reason, the Department finds this portion of allegation 2 substantiated.

V. Corrective Action Plan

Corrective Action for Allegation 2 in part: Violation of the IDEA and Bulletin 1706

1. Within 60 calendar days of the date of this decision, the District shall screen the student's performance data that was available at the time of the screening using the CPI2 criterion as indicated on the student's February 6, 2025 IEP.
 - a. The Team shall determine eligibility based on the results of the screening;
 - b. If the screening reveals the student's ineligibility for ESY, the District shall notify the parent in writing in accordance with Bulletin 1530;
 - c. If the screening results reveal the student was eligible for ESY, the District shall provide compensatory services to the student in the amount the student would have received had the student been determined eligible at the time of the determination.
2. In conjunction with the above, the District shall review and revise and local policies, procedures or practices that may contribute to the failure in implementing a student's IEP in its entirety. A written narrative summarizing changes and compliance measures shall be submitted to the Department within 60 calendar days.

Sincerely,



Lindsey P. Dupree
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Melissa Stilley, Superintendent, Tangipahoa Parish School System (email only)

Louisiana Special Education Complaint Investigation

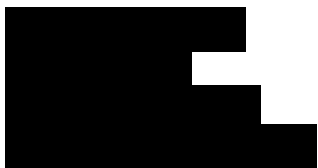
56-C-02





LOUISIANA DEPARTMENT OF EDUCATION

August 7, 2025



Blaise Pellegrin, Supervisor
Special Education Department
Terrebonne Parish School District
201 Stadium Drive
Houma, LA 70360
blaisepellegrin@tpsd.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-02**

Dear [REDACTED] and Blaise Pellegrin:

On August 7, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-02**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Aubrey "Bubba" Orgeron Jr., Superintendent, Terrebonne Parish School District (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-03





LOUISIANA DEPARTMENT OF EDUCATION

September 4, 2025



Kerri Soo, Supervisor
Special Education Department
St. Tammany Parish Public Schools
706 West 28th Street
Covington, LA 70433
Kerri.soo@stpsb.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-03**

Dear Parties:

On August 18, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-03**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Frank Jabbia, Superintendent, St. Tammany Parish Public Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-04





LOUISIANA DEPARTMENT OF EDUCATION

August 11, 2025

Mendy Van Hoven, Director
Special Education Department
St. Charles Parish Public Schools
13855 River Road
Luling, LA 70070
mvanhoven@wearescpss.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-04**

Dear [REDACTED] and Mendy Van Hoven:

On August 7, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-04**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Dr. Ken Oertling Superintendent, St. Charles Parish Public Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-05





LOUISIANA DEPARTMENT OF EDUCATION

September 4, 2025



Kerri Soo, Supervisor
Special Education Department
St. Tammany Parish Public Schools
706 West 28th Street
Covington, LA 70433
Kerri.soo@stpsb.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-05**

Dear Parties:

On September 3, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-05**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Frank Jabbia, Superintendent, St. Tammany Parish Public Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-06



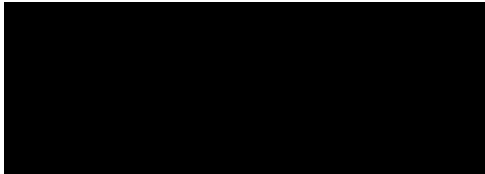
DR. CADE BRUMLEY
STATE SUPERINTENDENT



CLAIBORNE BUILDING
1201 N 3RD ST.
BATON ROUGE, LA 70802

LOUISIANA DEPARTMENT OF EDUCATION

October 10, 2025



Dawn Albert
Supervisor of Exceptional Student Services
Pointe Coupee Parish School System
337 Napoleon Street
New Roads, LA 70760
Dawn.albert@pcpsb.net

Re: Findings-Decisions in Special Education Formal Complaint No. **56-C-06** on behalf of [REDACTED]

I. Introduction

On August 8, 2025, the Louisiana Department of Education ("Department") received a formal complaint from the complainant ("Parent"), on behalf of a minor child ("Student") enrolled in a school ("School") under the jurisdiction of the Pointe Coupee Parish School System ("District"). The Parent requested that the Department initiate an investigation pursuant to Louisiana Bulletin 1706 §§ 151–153.

II. Statement of the Case

In the complaint, the Parent allege that the District violated the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 et seq.; the implementing federal regulations at 34 C.F.R. Part 300; the Louisiana Children with Exceptionalities Act, La. R.S. 17:1941 et seq.; and/or the Department's implementing regulations promulgated in Louisiana Bulletin 1706. Specifically, the Parent alleges that the District:

1. Failed to implement the student's IEP and behavioral intervention plan, on or about November 6, 2024, and on subsequent occasions through August 2025, including failing to provide required services, supports, and supervision specified in the IEP and failing to ensure that all personnel responsible for the student's services were informed of their responsibilities; and
2. Failure to follow procedural safeguards in connection with disciplinary removals and IEP team meetings, on or about November 6–12, 2024, and on subsequent occasions through August 2025, including removing the student without a timely manifestation determination review, predetermining placement decisions without full team deliberation, and failing to provide prior written notice when proposing or refusing to initiate or change the student's identification, evaluation, placement, or provision of FAPE.

As the Department's assigned investigator, I have reviewed the complaint, the District's written response and all supporting documents submitted by both parties. The findings of fact and conclusions of law that follow are

based on a comprehensive review of the submitted records and the applicable legal provisions. Pursuant to Louisiana Bulletin 1706 §152(C), a formal complaint may only address alleged violations that occurred within the two years prior to the date that the complaint is received in accordance with §§ 151 through 153.” The Department received the complaint on August 8, 2025. Therefore, the investigation was limited to alleged violations of law that occurred between August 9, 2023, and August 8, 2025.

III. Findings of Fact

The Student is eligible for special education and related services under the category of Intellectual Disability – Mild, with additional impairments in adaptive behavior, academic, and cognitive functioning, as determined by an initial evaluation completed on December 20, 2021. The evaluation included administration of the Wechsler Intelligence Scale for Children, which yielded a composite score 2.27 standard deviations below the mean, and the Vineland Adaptive Behavior Scales, on which the Student’s adaptive functioning was reported between two and three standard deviations below the norm based on both Parent and teacher reports.

During the 2023–2024 and 2024–2025 school years, the Student participated in Louisiana’s LEAP Connect alternate assessment, aligned with alternate achievement standards for students with significant cognitive disabilities.

The Student attended a District high school during the 2024–2025 school year, initially receiving services under an Individualized Education Program (IEP) dated November 14, 2023, and later under a subsequent IEP developed on November 12, 2024, following a Manifestation Determination Review (MDR) related to a disciplinary incident that occurred on November 6, 2024.

November 14, 2023 IEP and Behavior Intervention Plan

The November 14, 2023 IEP identified significant academic deficits, with the Student functioning at approximately a kindergarten level in mathematics and overall reading, demonstrating phonics and comprehension delays at a kindergarten level and vocabulary and high-frequency word recognition at a first- to second-grade level. The IEP specified that the Student required academic and behavioral supports in all campus setting and that an “extra adult is needed to assist with behavior management in all general education classes.”

Under Special Factors, the IEP documented seven major discipline referrals from the prior school year, including incidents of fighting, disrespect, and elopement. Among the accommodations, the IEP directed staff to “provide assistance/cues for transition between classes, lockers, and home,” and included extended time, modified assignments, and small-group instruction.

The Student’s placement was inside the regular education classroom for less than 40% of the school day, with Physical Education instruction in the general education setting. The IEP provided special education instruction of 305 minutes twice weekly and 395 minutes twice weekly, corresponding to the alternating A/B block schedule, and counseling services for 30 minutes twice monthly.

The Behavior Intervention Plan (BIP) developed on August 24, 2023, and last revised on November 13, 2023, identified aggression as the primary target behavior, including hitting others, verbal aggression, and refusal to follow directions. The function of the behavior was identified as gaining or avoiding attention, escaping non-preferred tasks, and obtaining tangibles. The behavior occurred several times daily, typically of moderate intensity, during transitions, unstructured periods, and peer interactions.

To address aggression, the BIP emphasized clear expectations, offering choices, consistent and calm communication, and positive reinforcement. A key proactive strategy, “Alternate difficult tasks/demands with preferred activities in the daily schedule,” required embedding non-preferred tasks between preferred activities

using a “first/then” approach to promote compliance. The plan required consistent implementation and neutral staff responses.

The November 6, 2024 Incident

On November 6, 2024, at approximately 1:31 p.m., during the transition between classes, the Student was involved in a physical altercation with four peers near the school’s F Building. The District’s narrative summary of surveillance footage described that “the junior high students were transitioning to their 4th block classes” when the incident occurred. The narrative indicated that one student struck first, followed by others, and that the Student was struck multiple times while on the ground before staff intervened.

Statements from students indicated that a verbal exchange occurred earlier during Physical Education and that the altercation took place during the transition period that followed. The Student sustained injuries to the ear requiring medical treatment at a local hospital. The incident occurred during an unstructured transition period when the Student was not accompanied by a paraprofessional.

Manifestation Determination Review and November 12, 2024 IEP and BIP

Following the incident, the Student was suspended out of school from November 7–8, 2024. The principal submitted a Request for Alternative Placement citing code violations, including “instigates or participates in fights while under school supervision,” “treats authority with disrespect,” and “exhibits conduct injurious to associates.”

On November 7, 2024, the District issued Prior Written Notice to the Parent scheduling a Manifestation Determination Review (MDR) for November 12, 2024. The MDR meeting convened on that date and included the Student, Parent, regular and special education teachers, administrative staff, and District representatives.

The MDR form contained the two required determinations:

1. “Was the conduct caused by, or did it have a direct and substantial relationship to, the student’s disability?” – **No**; and
2. “Was the conduct the direct result of the District’s failure to implement the IEP?” – initially **No**, later amended to **Yes** following discussion.

A handwritten notation states, “Due to results of further discussion, it has been determined to be a failure on the part of the local educational agency.” Additional notations reflect that school staff met with the paraprofessional to review the Student’s IEP, BIP, and transition assistance. The Student was returned to ■ prior placement following the two-day suspension.

The District’s response to the complaint stated that the MDR “determined there was a failure to implement the student’s IEP and Behavior Improvement Plan by a staff member.” In its supplemental response, the District clarified that a substitute paraprofessional was not present during the Student’s transition from the gym to class when the incident occurred.

Following the MDR, the IEP team reconvened the same day to review and revise the Student’s program. The revised November 12, 2024 IEP continued the accommodation to “provide assistance/cues for transition between classes, lockers, and home,” and maintained the Student’s placement inside the regular education classroom less than 40% of the school day.

The corresponding November 12, 2024 BIP restated that the Student’s aggressive behaviors occurred primarily during transitions, unstructured times, and peer interactions. Proactive strategies included providing frequent choice, “first/then” statements, and positive reinforcement for appropriate decisions.

On November 15, 2024, staff members—including two physical education teachers, the paraprofessional, the bus driver, the special education teacher, and the junior high principal—signed documentation acknowledging receipt of and responsibility for implementing the Student’s IEP and BIP.

February–April 2025

On February 21, 2025, text messages between the Student’s special education teacher and the Parent indicated that the Student assisted with a cooking activity organized by staff for junior high students. The record contains no indication that the event was documented in the Student’s IEP or BIP as an instructional or transition activity.

On March 20, 2025, the Student participated in an off-campus trip to a local restaurant. The District provided a general permission slip signed by the Parent in September 2024 authorizing participation in school-sponsored trips. Text messages show that the teacher informed the Parent in advance and that the Parent responded positively.

Later the same day, an on-campus incident occurred that resulted in law enforcement involvement. A report provided by the Parent identifies the date as March 20, 2025, and describes an altercation involving multiple students beginning in the gym and continuing during transition to class in or near the F Building. The Department makes no findings as to the substance or accuracy of the report but notes that the event, as described, occurred during a transition period.

Attendance records indicate that the Student was present through April 28, 2025, and was marked absent beginning April 30, 2025, through mid-May 2025. The Parent attributed the absences to safety concerns; the reasons for nonattendance are not otherwise established in the record.

August 2025 IEP Meetings

The record documents three IEP meetings held on August 4, August 19, and August 22, 2025, convened to review the Student’s IEP, discuss placement for the 2025–2026 school year, and address changes to Bulletin 1530 alternate assessment criteria. Each meeting is documented by a Prior Written Notice (PWN) and post-meeting notice describing discussion topics and the Parent’s responses.

The PWNs for August 4 and 19, 2025, identify the purpose as “develop, review, or amend an IEP and determine placement,” with reevaluation not indicated. The post-meeting notices show that the team discussed the revised alternate assessment criteria and that the District proposed additional testing to determine whether the Student continued to meet eligibility requirements. The Parent declined consent at both meetings, requesting additional time to review the information. The District’s record lists the Student’s special education teacher as an attendee at both meetings—by phone on August 4 and by videoconference on August 19.

The August 22, 2025 meeting PWN indicates both “IEP review” and “reevaluate your child’s need for special education services.” The Parent consented to the proposed reevaluation. The team also discussed safety concerns and agreed to safeguards for the Student’s return, including:

- Core academic instruction in a special education setting;
- Three elective classes with paraprofessional support;
- Supervised participation with nondisabled peers during lunch and recess; and
- Supervised restroom breaks scheduled outside the general school schedule.

The IEP developed on August 22, 2025, added a reading fluency goal and a home–school communication plan.

The District’s complaint response confirmed that the August meetings addressed Bulletin 1530 criteria, placement, and parental safety concerns. The District’s supplemental response clarified that reevaluation was

discussed in earlier meetings but formally proposed and consented to on August 22, 2025. The record does not include a completed reevaluation, as the Student had not yet been made available for testing as of the District's latest submission.

On August 8, 2025, the Parents filed the state complaint underlying this decision.

IV. Conclusions of Law

The Department's conclusions are based on a review of the complaint, the District's response and supplemental submissions, relevant student records, and applicable law and regulation. Each allegation was analyzed in relation to the governing standards under Bulletin 1706 and applicable federal guidance to determine whether the District complied with its obligations to implement the Student's IEP, follow required procedural safeguards, and ensure the continued provision of a free appropriate public education.

Allegation 1 - Failure to Implement the Student's IEP and Behavioral Intervention Plan

The Individuals with Disabilities Education Act (IDEA) guarantees that all eligible students with disabilities are entitled to a free appropriate public education (FAPE). FAPE consists of special education and related services that are provided at public expense, under public supervision and direction, without charge, meet the standards of the State educational agency, and are provided in conformity with the student's individualized education program. 20 U.S.C. § 1401(9)(D); 34 C.F.R. § 300.17(d). Louisiana mirrors this requirement, defining FAPE as special education and related services that "are provided in conformity with an Individualized Education Program (IEP) that meets the requirements of §§ 320 through 324." Bulletin 1706 §905.

Once an IEP is developed, the local educational agency (LEA) must ensure that it is implemented as written. Each teacher, related service provider, and other staff member responsible for the student's education must be informed of their specific responsibilities for implementing the IEP and the accommodations, modifications, and supports it requires. Bulletin 1706 §323(D). A district's failure to implement an IEP constitutes a procedural violation; however, not every deviation results in a denial of FAPE. The Fifth Circuit has held that the IDEA "does not require perfect adherence" but a good-faith effort to assist the student in achieving the IEP's objectives. *Houston Independent School District v. Bobby R.*, 200 F.3d 341, 349 (5th Cir. 2000). A violation becomes substantive—and therefore a denial of FAPE—when the failure to implement the IEP is material, meaning that the services actually provided differ in more than a minor or technical way from those required by the IEP, resulting in a loss of educational opportunity or a deprivation of meaningful educational benefit.

Issue 1: Implementation of the IEP and BIP – November 6, 2024 Incident

The Student's IEP in effect on November 6, 2024, required the provision of assistance and cues during transitions between classes, lockers, and home. It also stated that the Student required behavioral supports in all campus settings and that "an extra adult is needed to assist with behavior management in all general education classes."

The record establishes that the incident leading to the Student's suspension occurred during an unstructured transition between classes when the Student was not accompanied by a paraprofessional or other assigned staff member. The District acknowledged that a substitute paraprofessional was not present at that time. This omission represented a failure to implement a required IEP support—transition assistance.

The IEP Team met shortly thereafter to address the implementation concern, reaffirming the requirement for paraprofessional support during transitions and obtaining written acknowledgment from staff confirming receipt and understanding of their IEP responsibilities. These corrective actions ensured that all personnel responsible for implementing the Student's services were properly informed going forward.

Based on this record, the Department finds that the District did not fully implement the Student's IEP on November 6, 2024, when the Student was unsupervised during transition, contrary to the IEP's provisions. This constituted a procedural violation of Bulletin 1706 §323(D). However, because the District promptly corrected the failure and there is no evidence of ongoing noncompliance or loss of educational benefit, the violation did not result in a denial of FAPE. Accordingly, Allegation 1 is substantiated in part as it relates to the November 6, 2024 incident.

Issue 2: Implementation of the IEP and BIP – Subsequent Period (February–April 2025)

The Parent alleged that subsequent events between February and April 2025—including the Student's participation in a cooking activity, an off-campus trip, and a law enforcement incident—demonstrated continued failures to implement the Student's IEP and BIP.

The record indicates that on February 21, 2025, the Student participated in an on-campus cooking activity under teacher supervision, and on March 20, 2025, in a class trip to a local restaurant. Although neither activity was explicitly described in the IEP or BIP as an instructional or transition activity, both were consistent with classroom-based vocational and life-skills instruction typical of the Student's program. The Department finds no evidence that these activities represented a failure to implement the IEP or deprived the Student of required supports.

A law enforcement report dated March 20, 2025, described an altercation that began in the gym and continued during transition to class. The Department makes no findings regarding the underlying conduct but notes that the setting was similar to those previously identified in the IEP and BIP as high-risk for behavioral escalation. The record contains no evidence, however, that IEP services or supports were omitted at that time or that the event reflected a continuing failure of implementation.

Based on the available evidence, the Department finds insufficient grounds to conclude that the District materially failed to implement the Student's IEP or BIP after November 2024 or that the Student was denied FAPE as a result. Accordingly, Allegation 1 is unsubstantiated for the period of February–April 2025.

Allegation 2 - Failure to Follow Procedural Safeguards in Connection with Disciplinary Removals and IEP Team Meetings

Issue 1: Disciplinary Removals and Manifestation Determinations

Within ten school days of any decision to change the placement of a student with a disability due to disciplinary conduct, the LEA, the parent, and relevant members of the IEP Team must determine: (1) whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or (2) whether the conduct was the direct result of the LEA's failure to implement the IEP. Bulletin 1706 §530(E). If the team determines that the conduct was the direct result of a failure to implement the IEP, the LEA must take immediate steps to remedy the deficiency and return the student to the placement from which they were removed. Bulletin 1706 §530(E)(3).

For short-term removals of ten consecutive school days or fewer, school personnel may remove a student with a disability who violates the student code of conduct. Bulletin 1706 §530(B). During such removals, educational services are not required unless the removal constitutes a change of placement or the student has been removed for more than ten cumulative school days during the school year. Bulletin 1706 §530(D)(3). When the manifestation determination team concludes that a student's conduct was directly related to a failure to implement the IEP, the appropriate remedy is immediate correction of the implementation failure and the student's return to the prior placement. The IEP Team must then review and, if necessary, revise the IEP and BIP to ensure that the required supports and services are properly provided going forward.

Following the November 6, 2024 disciplinary incident, the Student was suspended for two days (November 7–8, 2024). The District issued Prior Written Notice on November 7, 2024, scheduling a Manifestation Determination Review (MDR) for November 12, 2024. Documentation confirms that the meeting occurred as scheduled, within the ten-school-day requirement of Bulletin 1706 §530(E).

The MDR team determined that the behavior was the direct result of the District's failure to implement the IEP, specifically noting, "it has been determined to be a failure on the part of the local educational agency." Consistent with Bulletin 1706 §530(E)(3), the team returned the Student to [REDACTED] prior placement, and the District took immediate steps to address the implementation deficiency. The IEP and BIP were revised the same day to reinforce the need for adult assistance during transitions and to ensure all staff were informed of their responsibilities. Staff signatures dated November 15, 2024, confirm receipt of and accountability for implementing the updated plans.

The two-day suspension did not exceed the ten-day threshold that triggers the provision of educational services under Bulletin 1706 §530(D)(3), and the record does not indicate any additional removals constituting a change in placement.

Accordingly, the District complied with the procedural safeguards governing disciplinary removals and manifestation determinations. The MDR was timely, included appropriate participants, addressed the required determinations, and resulted in immediate corrective action. No procedural or substantive violation was identified. Allegation 2 is therefore unsubstantiated with respect to disciplinary safeguards and manifestation determination procedures.

Issue 2: August 2025 IEP Meetings, Parental Participation, and Prior Written Notice

Parents must be afforded the opportunity to participate in meetings concerning the identification, evaluation, educational placement, and provision of services for their child. Bulletin 1706 §322(A). The LEA must take affirmative steps to ensure that parents are present at each IEP meeting or have the opportunity to participate, including providing timely notice and scheduling meetings at a mutually agreed-upon time and place. Parents may participate in person, by telephone, or through other alternative means. Bulletin 1706 §328.

Public agencies must also issue prior written notice within a reasonable time, and not less than ten days, before proposing or refusing to initiate or change a student's identification, evaluation, educational placement, or provision of FAPE. Bulletin 1706 §504(A). Each notice must describe the proposed or refused action, explain the reasons for the decision, identify the data or reports relied upon, outline any alternatives considered and reasons for their rejection, and inform parents of their procedural safeguards and available resources. Bulletin 1706 §504(B).

The Parent alleged that [REDACTED] was not provided adequate prior written notice and was denied meaningful participation during the August 2025 IEP process.

The record reflects that the District convened IEP meetings on August 4, 19, and 22, 2025, to discuss the Student's academic placement for the 2025–2026 school year and the impact of revisions to the Bulletin 1530 alternate assessment criteria. Each meeting was preceded by a PWN and followed by a post-meeting notice documenting the discussion, the Parent's input, and the District's decisions or deferred actions.

The August 4 and 19, 2025 PWNs identified the meeting purpose as "develop, review, or amend an IEP and determine placement." Although the reevaluation option was not checked, the post-meeting documentation shows that the team discussed the state's updated alternate assessment criteria and the District's proposal to conduct additional cognitive testing to determine continued eligibility. The Parent declined consent for testing

at both meetings, requesting additional time to review the information and consider placement options. The team agreed to reconvene on August 22, 2025.

The August 22, 2025 meeting PWN listed both IEP review and reevaluation as purposes. At that meeting, the Parent consented to the proposed reevaluation. The team also discussed safety concerns and agreed upon safeguards for the Student's return, including specialized instruction in a self-contained setting for core academics, paraprofessional assistance in electives and during transitions, and a structured supervision plan for lunch and restroom breaks.

The Parent later asserted that the Student's special education teacher was not present during the August 4 and 19 meetings. District documentation lists the teacher as participating by telephone on August 4 and by videoconference on August 19. Participation through such alternative means is permissible under Bulletin 1706 §328, provided the parent can meaningfully engage—which the record indicates occurred here.

Each PWN and post-meeting notice satisfied the requirements of Bulletin 1706 §504(B) by identifying the proposed and refused actions, the rationale for each decision, the options considered, and the supporting information. The documentation further reflects a collaborative discussion of multiple placement options, including on-campus, hybrid, and virtual learning models, and shows that the Parent's preferences and concerns were incorporated into the final IEP.

Accordingly, the District complied with the procedural safeguards governing parental participation, prior written notice, and reevaluation procedures. Allegation 2 is unsubstantiated as it pertains to the August 2025 IEP meetings and related procedural safeguards

V. Corrective Action

To ensure future compliance, the District is directed to take the following corrective actions:

1. Within 120 calendar days of the issuance of this decision, the District shall provide documentation to the Department demonstrating that staff responsible for implementing IEPs—including paraprofessionals, substitutes, and classroom teachers—have received training or written guidance on their obligations under Bulletin 1706 §323(D) to be informed of, and carry out, the specific services, accommodations, and supports contained in each student's IEP.

Respectfully,



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CC: Kim Canezaro, Pointe Coupee Parish School System

Louisiana Special Education Complaint Investigation

56-C-07



DR. CADE BRUMLEY
STATE SUPERINTENDENT



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LOUISIANA DEPARTMENT OF EDUCATION

October 13, 2025

[REDACTED]

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Re: Findings-Decisions in Special Education Formal Complaint No. **56-C-07** on behalf of [REDACTED]

I. Introduction

On August 14, 2025, the Louisiana Department of Education ("Department") received a formal complaint from the complainant ("Parent"), on behalf of a minor child ("Student") enrolled in a school under the jurisdiction of St. Landry Parish Schools System ("District"). The Parent requested that the Department initiate an investigation pursuant to Louisiana Bulletin 1706 §§ 151–153.

II. Statement of the Case

In the complaint, the Parents allege that the District violated the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 et seq.; the implementing federal regulations at 34 C.F.R. Part 300; the Louisiana Children with Exceptionalities Act, La. R.S. 17:1941 et seq.; and/or the Department's implementing regulations promulgated in Louisiana Bulletin 1706. Specifically, the Parent alleges that the District:

1. Improper attempt to change the student's placement without convening an IEP team meeting and ensuring meaningful parental participation.
2. Improper determination of placement based on program capacity and/or administrative convenience rather than the individual needs of the student.
3. Failure to consider or provide 1:1 paraprofessional support following multiple parental requests and documented behavioral concerns.

As the Department's assigned investigator, I have reviewed the complaint, the District's written response and all supporting documents submitted by both parties. The findings of fact and conclusions of law that follow are based on a comprehensive review of the submitted records and the applicable legal provisions. Pursuant to Louisiana Bulletin 1706 §152(C), a formal complaint may only address alleged violations that occurred within the two years prior to the date that the complaint is received in accordance with §§ 151 through 153." The

Department received the complaint on August 14, 2025. Therefore, the investigation was limited to alleged violations of law that occurred between August 15, 2023, and August 14, 2025.

III. Findings of Fact

The Student is a [REDACTED] child identified as a student with a disability under the eligibility category of Intellectual Disability–Moderate, with an additional [REDACTED]

During the 2024–2025 school year, the Student received special education and related services as a [REDACTED] student in accordance with an individualized education program (IEP) developed on October 11, 2024. Under that IEP, the Student received specialized instruction, speech therapy, occupational therapy, and adaptive physical education. The Student also participated in regular education classes for Social Studies, Science, and Physical Education with paraprofessional assistance. The IEP reflected placement inside the regular education classroom for less than forty percent of the school day, based on the Student’s need for individualized and small-group instruction with support from both the special education teacher and paraprofessional. The October 2024 IEP remained in effect at the beginning of the 2025–2026 school year.

For the 2025–2026 school year, the Student [REDACTED] The Student’s assigned classroom included a special education teacher and two paraprofessionals. According to the District’s program structure, the elementary Exceptional Student Services (ESS) teacher serves grades one through four, while the middle school ESS teacher serves grades five through eight. According to the Parent, the Student had been instructed by the same teacher since kindergarten.

District documentation shows that on July 8, 2025, the Pupil Appraisal Center distributed finalized class rosters and paraprofessional assignments to school administrators for the upcoming school year. [REDACTED]

According to the Parent, she visited the school on August 7, 2025, to speak with the Student’s previous teacher about preparations for the new school year. During this visit, she learned that the Student had been assigned to a different teacher’s classroom [REDACTED]. The following morning, August 8, 2025, the Parent and her husband accompanied the Student to school. The Parent reports that the Student became distressed and refused to enter [REDACTED] new classroom, stating [REDACTED] wanted to remain with [REDACTED] previous teacher.

According to a school administrator, the Parent, the Student, and the Student’s father went to the previous teacher’s classroom without signing in at the front office. The administrator reported that she entered the room to escort the Student to [REDACTED] class and explained that the previous teacher did not teach [REDACTED]

District records show that Prior Notice was sent to the Parent on August 18, 2025, proposing to convene an IEP Team meeting to review the Student’s annual IEP and discuss placement for the 2025–2026 school year. After the Parent requested clarification and a revised notice, a second Prior Written Notice dated August 21, 2025, was issued, identifying the meeting’s purpose as developing, reviewing, or amending the IEP and determining placement, as well as discussing possible eligibility for Louisiana’s alternate assessment, LEAP Connect/LAA 1. The notice advised that the Parent would be an equal participant in the IEP process and confirmed her receipt of the Louisiana Educational Rights of Children with Disabilities. The Parent signed and returned the notice on August 26, 2025, indicating her intent to attend the meeting with an advocate and consenting to the excusal of two related service providers.

The IEP Team meeting was convened on August 28, 2025, as scheduled. Participants included the officially designated representative, regular and special education teachers, the pupil appraisal representative, the assistant principal, related service providers, and the Parent. The IEP indicated that the Team agreed to utilize a

daily communication plan to keep the Parent informed. The IEP also documented the Parent's concerns regarding the Student's safety and new special education teacher. The Student's placement remained inside the regular education classroom for less than forty percent of the school day. In addition, the Student continued to participate with grade-level peers in regular education classes for Social Studies, Science, and Physical Education with paraprofessional assistance.

IV. Conclusions of Law

Allegations 1 and 2 – Placement and Parental Participation

Under Bulletin 1706 §116(A)(1), a student's educational placement must be determined by a group that includes the parent and individuals knowledgeable about the student, evaluation data, and available placement options. The placement decision must be based on the student's IEP, reviewed at least annually, and made in conformity with the least restrictive environment (LRE) requirements. Educational placement refers to the type of educational program and the extent of participation with nondisabled peers. Pursuant to §114(A)(2), students with disabilities must be educated with nondisabled peers to the maximum extent appropriate, and removal from the regular education environment may occur only when education in regular classes with supplementary aids and services cannot be achieved satisfactorily. Bulletin 1706 §§322(A)–(B) further require that parents be afforded meaningful opportunity to participate in IEP Team meetings through timely notice identifying the purpose, time, location, and expected participants. Before proposing or refusing to initiate or change a student's identification, evaluation, placement, or provision of FAPE, a district must issue prior written notice consistent with §504.

The Parent alleges that the District improperly attempted to change the Student's educational placement without convening an IEP Team meeting or ensuring meaningful parental participation, and that the placement determination was made for administrative convenience rather than based on the Student's individual needs. The Parent further contends that the Student should have remained with her previous special education teacher, with whom she had developed a long-standing and positive relationship.

The record establishes that at the start of the 2025–2026 school year, the Student [REDACTED]

[REDACTED] The elementary ESS teacher serves grades one through four, while the middle school ESS teacher provides instruction for the upper grades with two paraprofessionals supporting both enrolled students. This configuration complies with Bulletin 1530 §127, which prohibits an age span greater than three years within a special education class unless specifically approved by BESE. The assignment did not alter the Student's type or level of special education instruction, related services, or least restrictive environment. Rather, it reflected the Student's normal grade progression and alignment with the District's established program configuration. The Student continued to receive services in conformity with her existing IEP, and there is no evidence that administrative convenience, rather than educational need, motivated the decision.

Regarding the Parent's preference that the Student remain with her previous teacher, Bulletin 1706 does not grant parents the right to select or dictate specific teacher assignments. Parental participation extends to determining the student's educational placement—the type of program and the extent of participation with nondisabled peers—but not to the selection of particular staff members. Teacher assignments fall within the District's administrative discretion, provided the Student's IEP is implemented by appropriately certified and trained personnel. Therefore, the District's actions did not constitute a change in educational placement under Bulletin 1706 §116, nor were they based on administrative convenience.

The record further shows that the District issued a prior written notice dated August 21, 2025, proposing to convene an IEP meeting to develop, review, or amend the IEP and determine placement based on the Student's

needs. The notice identified the meeting's date, time, location, and purpose, listed expected participants, and informed the Parent of her right to participate and bring an advocate. The Parent attended the meeting, shared concerns regarding the Student's new special education teacher, and participated in decisions regarding the Student's educational program. These actions demonstrate compliance with Bulletin 1706 §§322 and 504 and confirm that the Parent was afforded meaningful opportunity for participation. The record also does not establish denial of meaningful parental participation.

Accordingly, Allegations 1 and 2 are unsubstantiated.

Allegation 3 – Paraprofessional Support

Under Bulletin 1706 §320(A)(4), each student's IEP must specify the special education, related services, and supplementary aids and services necessary to enable the student to advance appropriately toward annual goals, be involved in and make progress in the general education curriculum, and be educated with nondisabled peers to the maximum extent appropriate. In developing the IEP, the IEP Team must consider the student's strengths, the parents' concerns, and the academic, developmental, and functional needs of the student consistent with Bulletin 1706 §324(A)(1). When a student requires assistance to implement IEP goals, the provision of paraprofessional or other adult support constitutes a supplementary aid or service.

The Parent further alleges that the District failed to consider or provide one-to-one paraprofessional support despite multiple parental requests and behavioral concerns.

The record reflects that the Student's IEP includes paraprofessional assistance as part of her specialized instruction and general education supports. Two paraprofessionals are assigned to the classroom in which the Student receives specialized instruction, providing assistance under the supervision of the Student's special education teacher. In addition, the Student also receive paraprofessional assistance in the general education environment with peers in Science, Social Studies, and Physical Education. Accordingly, the record does not support a finding that the District failed to consider or provide appropriate paraprofessional support or that the IEP Team disregarded the Parent's requests. Allegation 3 is unsubstantiated.

V. Corrective Action

The Department determined that the District did not violate the IDEA, the Louisiana Children with Exceptionalities Act, or the Department's implementing regulations published in Louisiana Bulletin 1706. Therefore, this investigation is hereby closed and no additional action is required.

Respectfully,



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CC: Milton Batiste, III, Superintendent, St. Landry Parish Schools

Louisiana Special Education Complaint Investigation

56-C-08



DR. CADE BRUMLEY
STATE SUPERINTENDENT



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LOUISIANA DEPARTMENT OF EDUCATION

October 14, 2025



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Re: Findings-Decision in State Special Education Formal Complaint No. **56-C-08** on behalf of [REDACTED]

I. Introduction

On August 19, 2025, the complainant ("Parent") submitted a formal written request for a special education complaint investigation to the Louisiana Department of Education ("the Department") on behalf of [REDACTED] child ("Student"), who is enrolled in a school under the jurisdiction of the NOLA Charter Schools ("District"). The parent requested that the Department initiate an investigation pursuant to the state complaint procedures set forth in Louisiana Bulletin 1706 §§ 151 through 153.

II. Statement of the Case

In the complaint, the Parent alleges that the District violated the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 et seq.; the implementing federal regulations at 34 C.F.R. Part 300; the Louisiana Children with Exceptionalities Act, R.S. 17:1941 et seq.; and/or the Department's implementing regulations promulgated in Louisiana Bulletin 1706. Specifically the parent alleges the District:

1. Failed to convene an IEP Team meeting upon the Student's transfer into the District and,
2. Failed to implement the Student's IEP.

As the Department's assigned investigator, I have reviewed the complaint, the District's written response and all supporting documents submitted by both parties. The findings of fact and conclusions of law that follow are based on a comprehensive review of the submitted records and the applicable legal provisions. Pursuant to Louisiana Bulletin 1706 § 152(C), a formal complaint may only address alleged violations that occurred within the two years prior to the date that the complaint is received in accordance with §§ 151 through 153." The Department received the complaint on August 19, 2025. Therefore, the investigation was limited to alleged violations of law that occurred between August 20, 2023, and August 19, 2025.

III. Findings of Fact

At all times relevant to this complaint, the Student was enrolled at a District school and receiving special education under the classification of Developmental Delay. Previous to the Student's enrollment into a Type 3 District charter school, the Student attended preschool within the NOLA Public School district. The Student's IEP provided for thirty minutes of speech/language therapy per week in the special education setting. Due to the Student's particular medical diagnosis, the Student's IEP also provided for School Health and School Nurse services—upon entry into the public-school setting—specifically to assist the Student with diapering and toileting needs.

On April 29, 2025 the District began a reevaluation of the Student. The Student was subsequently registered with the Type 3 Charter school within the NOLA Public School District on May 16, 2025. After the Student's registration, but before the dissemination of the reevaluation report, an IEP meeting was held on June 10, 2025. On July 21, 2025, the reevaluation report was disseminated.

By email dated August 5, 2025, the Parent contacted the District regarding the Student's special needs and requested a meeting to discuss implementation of the Student's special education services. The Parent stated that the Student required a child specific staff member to assist with toileting needs, nursing services during the school day, and specific dietary restrictions. In a reply email dated August 8, 2025, the District attempted to arrange a phone call to obtain information about the Student's daily needs in their previous educational setting. The District advised such a conversation would allow it to better determine which parties would need to be involved in an IEP meeting that would be scheduled.

By email dated August 8, 2025, the Parent responded to the District emphasizing the previous request for an IEP team meeting and further requested email communication only regarding the Student's needs. In a reply email dated August 11, 2025, the District explained an IEP meeting would be scheduled and explained relevant IEP team members and service providers were being given time to review the evaluation report. Moreover, the District advised that in the meantime the Student's current IEP would be "honored."

The first day of school commenced on August 11, 2025. However, the Student was not present the first week of school—August 11, 2025 through August 15, 2025. By email dated August 13, 2025, the District requested the Parent provide current medical documentation and signed physician's orders before implementing a medical or toileting plan at the school. Additionally, the District provided dates to choose from in which to conduct the Student's IEP meeting. Those choices included August 25, August 26 or August 27, 2025.

The Student attended their first day of school on August 18, 2025. On that day, the District's school nurse informed the Parent, via email, that due to safety concerns related to the Student's diagnosis—in absence of medical orders from the Student's physician—the Student would need to be picked up from the school. In a reply email, the Parent disagreed and provided supporting authority. In a separate email, the Parent requested information regarding the Student's first day and the identity of the Student's teachers. The District replied in two separate, same day responses. In one email, the District provided a summary of the Student's first day and identified the Student's general and special education teachers. In the other response, the District recapitulated that the Student was not excluded from the school day and detailed the IEP required speech therapy services as well nursing services for toileting and diapering that the Student received.

On August 19, 2025, the Parent filed the complaint that formed the basis of the Department's investigation.

IV. Conclusions of Law

Allegations 1

The Parent alleges the District failed to convene an IEP Team meeting upon the Student's transfer into the District.

Under Bulletin 1706 101(A), each eligible student with a disability is entitled to a Free Appropriate Public Education (FAPE), which must include specially designed instruction and related services provided in conformity with an Individualized Education Program (IEP). Pursuant to Bulletin 1706 §323(A) each public agency shall have an IEP in effect for each student with a disability within its jurisdiction at the beginning of each school year. For students in which an initial evaluation has been conducted, Bulletin 1706 § 323 clearly defines a fixed 30 day timeline in which an IEP meeting must be conducted for a student that has been determined eligible. With respect to reevaluations of students with an existing IEP, §324(b)(1) mandates an IEP meeting is conducted to review results of any reevaluation (conducted under §304) without unreasonable delay.

The Student's previously attended preschool was located within Orleans Parish and under the jurisdiction of the NOLA Public School District. On May 16, 2025, the Student was registered with a Type 3 Charter School, located in Orleans Parish, authorized by the Orleans Parish School Board and also under the jurisdiction of NOLA Public School District. Since both the preschool and the charter school are within the District, the NOLA Public School District maintained jurisdiction over the Student at all times relevant to this complaint. The Student never transferred out of or back into the NOLA Public School District. Therefore, the District was not obligated to convene an IEP Team meeting before the beginning of the school year because (1) the Student did not "transfer" into the District and (2) the Student had an IEP in effect at the beginning of the school year.

However, the reevaluation that was conducted beginning April 29, 2025 obligated the District to conduct an IEP Team meeting to review the reevaluation report. Thus, the Department finds it necessary to determine whether the District convened an IEP meeting to review the reevaluation without unreasonable delay.

The reevaluation report was disseminated on July 21, 2025 during the District's summer break. The District's school year commenced on August 11, 2025. Shortly thereafter, the District issued prior written notice (PWN) to the Parent on August 13, 2025—within a week of the Parent's August 5th meeting request—and subsequently held the IEP meeting on August 26, 2025. The Department finds that the District convened an IEP meeting to review the reevaluation report within a reasonable amount of time. As such, allegation 1 is unsubstantiated.

Allegation 2

In the Parent's second allegation, the Parent asserts the District failed to implement the Student's IEP.

Pursuant to Bulletin 1706 §§320-324, public agencies must implement each student's IEP as written, ensuring the timely and consistent delivery of special education services, related services, accommodations, assistive technology, and supplementary aids and services necessary to ensure FAPE.

As previously established, the Student's current IEP was in effect when the Student enrolled in the District's Type 3 charter school. The Student's IEP included the Student's medical diagnosis and required the Student receive Health Services and Nurse Services to address dietary restrictions and aid in diapering and toileting upon entering traditional public school setting. The IEP did not contain a plan detailing how the diapering and toileting services were to be implemented; however, it was noted that a diapering and toileting plan

would be created at the time of the public school entrance. The District requested medical records and physician's orders from the Parent to begin creating an Individual Health Plan (IHP) that would address the Student's needs. The Parent did not provide the requested records in response to those requests in response to the requests. Instead, during the August 26th IEP meeting, the Parent executed a medical release form that would permit the District to retrieve these records directly from the physician.

While the District's request for the Parent to pick the Student on August 18, 2025 was inappropriate, the Department cannot issue a finding of a violation on this action because the Student ultimately remained at the school. Based on the submitted service logs, on that day the Student received 30 minutes of pull-out speech therapy services and was also provided assistance for ■■■ diapering and toileting needs as required by the IEP. The District communicated to the Parent that, in the absence of a formal IHP, the general protocol for toileting and diapering was followed.

Therefore, the Department finds the District implemented the Student's IEP and allegation 2 is unsubstantiated.

V. Conclusion

The Department finds that the District did not violate the Individuals with Disabilities Education Act, the Louisiana Children with Exceptionalities Act, or the Department's implementing regulations as set forth in the Louisiana Bulletin 1706 with respect to the allegations presented in this matter. Therefore, this investigation is hereby closed and no additional action is required.

Sincerely,



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CC: Dr. Shayla Guidry Hilaire, Superintendent, NOLA Public Schools (email only)

Louisiana Special Education Complaint Investigation

56-C-09





LOUISIANA DEPARTMENT OF EDUCATION

September 5, 2025



Michael Yoist
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RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-09**

Dear Parties:

On September 4, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-09**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Jeff Powell, Superintendent, Rapides Parish Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-10



Louisiana Special Education Complaint Investigation

56-C-11



DR. CADE BRUMLEY
STATE SUPERINTENDENT



CLAIBORNE BUILDING
1201 N 3RD ST.
BATON ROUGE, LA 70802

LOUISIANA DEPARTMENT OF EDUCATION

October 27, 2025



Michael Yoist
Special Education Director
Rapides Parish School Board
4515 Eddie Williams Ave.
Alexandria, LA 71302
Michael.yoist@rpsb.us

Re: Findings-Decision in State Special Education Formal Complaint No. **56-C-11** on behalf [REDACTED]

I. Introduction

On August 28, 2025, the complainant ("Parent") submitted a formal written request for a special education complaint investigation to the Louisiana Department of Education ("the Department") on behalf of [REDACTED] child ("Student"), who is enrolled in a school under the jurisdiction of the Rapides Parish Public School ("District"). The parent requested that the Department initiate an investigation pursuant to the state complaint procedures set forth in Louisiana Bulletin 1706 §§ 151 through 153.

II. Statement of the Case

In the complaint, the Parent alleges that the District violated the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 et seq.; the implementing federal regulations at 34 C.F.R. Part 300; the Louisiana Children with Exceptionalities Act, R.S. 17:1941 et seq.; and/or the Department's implementing regulations promulgated in Louisiana Bulletin 1706. Specifically the Department must determine:

1. Whether the District failed to implement the student's Individualized Education Program in regards to special education transportation and
2. Whether the District failed to conduct an evaluation of the student upon the parent's request

As the Department's assigned investigator, I have reviewed the complaint, the District's written response and all supporting documents submitted by both parties. The findings of fact and conclusions of law that follow are based on a comprehensive review of the submitted records and the applicable legal provisions. Pursuant to Louisiana Bulletin 1706 § 152(C), a formal complaint may only address alleged violations that occurred within the two years prior to the date that the complaint is received in accordance with §§ 151 through 153." The Department received the complaint on August 28, 2025. Therefore, the investigation was limited to alleged violations of law that occurred between August 29, 2023, and August 28, 2025.

III. Findings of Fact

At all times relevant to this complaint, the Student was enrolled at a District school and receiving special education and related services under the classification of Developmental Delay. The Student began the 2025-26 school year in a District school with an existing IEP dated March 1, 2024, which required the delivery of speech and occupational therapy in a special education setting as well special transportation due to the Student's disability.

By email dated August 12, 2025, the Parent reached out to the District with concerns related to the Student's enrollment and IEP status including an upcoming IEP meeting. In a series of reply emails dated August 13, 2025, the District communicated with Parent identifying possible dates for an IEP meeting. A parental notification letter dated August 18, 2025 was issued to the Parent.

On August 20, 2025, the District convened an IEP meeting. At this meeting the Parent expressed concerns regarding the Student's history of elopement, frequent behavioral episodes and the inability to follow verbal directions. In the course of the meeting, the Student's transportation safety was discussed. The District advised the Parent that the Student continued to qualify for special transportation services and assured the Parent that special transportation services would be coordinated for the bus to pick the Student up from their home and drop the Student off at home each school day. During the course of the discussion, the IEP Team discussed the use of a 5-point harness on the special transportation bus that could be made available to the Student. Ultimately, the IEP Team agreed to not make any changes to the transportation plan to give the Student time to see how the Student behaved.

The District then reviewed the Notice of Proposed Refusal of Action (NPRA) with the Parent explaining the Parent's options to (1) take 10 days to review the IEP prior to signing the NPRA or (2) waive the 10-day period by providing their signature to allow the Student to begin attending school and receive the services as written in the IEP. The Parent confirmed they wanted the Student to immediately receive services and subsequently signed the NPRA. A copy of the NPRA and the IEP was then provided to the Parent.

By email dated August 22, 2025, the Parent advised they were concerned that the Student was struggling and requested a "full reevaluation" of the Student to see how the Student was doing currently in "all areas". The District forwarded the Parent's request to the evaluator that same day and subsequently forwarded the Parent's contact information by email on August 27, 2025. Within the next week, the District reached out to the Parent to schedule a meeting to obtain consent for the reevaluation. Parent signed consent for reevaluation on September 8, 2025.

Meanwhile, on the morning of August 26, 2025, the Student boarded the special transportation bus. A short time thereafter, the bus driver placed a telephone call to the Parent to report that the Student had not stayed seated on the bus, had fallen and entered into a behavioral episode. Out of concern, the Parent picked the Student up from the school and—having observed fresh bruises on the Student—sought a medical evaluation. Following this incident that same day, the District installed a 5-point harness on to the bus. On August 27, 2025, the District provided training on the use of the harness to the Student's assigned paraprofessional as well as the bus driver. That afternoon the District contacted the Parent by telephone to notify the Parent that a harness was installed and ready for use. Two additional communications dated August 28th, 2025 were issued to the Parent confirming the harness was installed, training had been provided and the bus transportation with a 5-point harness was available to the Student. In a same day reply email, the Parent provided the District with an audio recording of the August 20th IEP meeting directing the District's attention to the IEP Team's discussion regarding the Parent's concerns with respect to elopement and behavior as well as the availability of a harness on the special transportation bus. Parent maintained that the District stated that the Student would be put in a harness.

On August 28, 2025, the Parent filed the complaint that formed the basis of the Department's investigation.

IV. Conclusions of Law

Allegations 1

The Parent alleges the District failed to implement the Student's Individualized Education Program in regards to special education transportation.

Under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1412(a)(1), and Louisiana's implementing state regulations at Bulletin 1706 §§101 and 320–324, each public agency must provide a free appropriate public

education (“FAPE”) to eligible students with disabilities in conformity with an appropriately developed individualized education program (“IEP”). Each public agency shall have an IEP in effect for each student with a disability within its jurisdiction at the beginning of each school year. Additionally, Districts are required to ensure that all special education and related services—including special transportation—are delivered as specified in the effective IEP.

Following the Parent’s August 12, 2025 email concerning the Student’s enrollment and IEP status, the District immediately communicated possible dates for a review IEP meeting, issued the August 18th notice letter and subsequently convened an IEP meeting on August 20, 2025.

An audio recording of the meeting supports the Parent’s argument that their concerns related to the Student’s dietary challenges, behavioral and elopement issues as well as the Student’s necessary special transportation needs were explicitly conveyed. Specifically with respect to the special transportation services, the recording reflects that the District remarked that a paraprofessional would be present on the bus and the bus could be equipped with a harness. However, although the availability of a harness was discussed, the IEP Team only maintained the implementation of the paraprofessional and did not include the requirement of a 5-point harness. The Parent waived the 10 day waiting period at the meeting’s conclusion when they signed the NPRA, and thus, the IEP—as written—became effective that day. The record is absent of any evidence that the Parent objected to the transportation plan prior to the August 26, 2025 incident.

The August 2025 IEP was in effect the day of the incident on the bus—August 26, 2025. The record reflects the Student’s paraprofessional was present on the bus as the IEP required. It should be noted that while the District immediately installed a 5-point harness and subsequently trained the bus driver and paraprofessional in its use, it was under no present obligation to do so because the IEP did not currently require its use. Before the District can implement the use of the 5-point harness, the Student’s IEP must be amended to reflect the scope of special transportation services to add the harness to the transportation plan.

Therefore, the Department finds the District implemented the Student’s IEP and allegation 1 is unsubstantiated.

Allegation 2

At the time of the filing of this formal complaint, the Parent alleged that the District had not responded to their request for a reevaluation of the Student and therefore, failed to conduct an evaluation of the student upon the Parent’s request.

Reevaluations of students with a disability must be conducted in accordance with Bulletin 1706 §§ 305-308 if (1) the public agency determines that the educational or related services needs of the student warrant a reevaluation or (2) the Student’s parent or teacher requests a reevaluation. 1706 § 301(c) mandates that parental consent is obtained prior to conducting any reevaluation of a student with a disability. Further, 1706 § 504 requires prior written notice (PWN) given to the parents of the student within a reasonable amount of time, and no less than 10 days, before the public agency proposes or refuses to initiate or change in the student’s identification, evaluation or educational placement.

The record reflects the District immediately communicated the Parent’s August 22, 2025 request to the evaluator the same day it was received and forwarded contact information to the evaluator within a week of the request. On September 8, 2025, within 10 business days, the evaluator met with the Parent and obtained consent to commence the evaluation. The PWN issued at the September meeting reflected that a reevaluation would begin and a meeting to review the reevaluation report was scheduled for October 20, 2025.

Based on the record, the Department finds the District responded to the request, initiated a reevaluation and issued PWN to the Parent within 10 business days. As such, allegation 2 is unsubstantiated.

V. Conclusion

The Department finds that the District did not violate the Individuals with Disabilities Education Act, the Louisiana Children with Exceptionalities Act, or the Department’s implementing regulations as set forth in the Louisiana Bulletin

1706 with respect to the allegations presented in this matter. Therefore, this investigation is hereby closed and no additional action is required.

Sincerely,



Lindsey P. Dupree, Attorney

Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Jeff Powell, Superintendent, Rapides Parish School Board (email only)

Louisiana Special Education Complaint Investigation

56-C-12





LOUISIANA DEPARTMENT OF EDUCATION

September 15, 2025



Michael Yoist
Special Education Director
Rapides Parish School Board
4515 Eddie Williams Ave.
Alexandria, LA 71302
Michael.yoist@rpsb.us

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-12**

Dear Parties:

On September 12, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-12**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Jeff Powell, Superintendent, Rapides Parish School Board (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-13



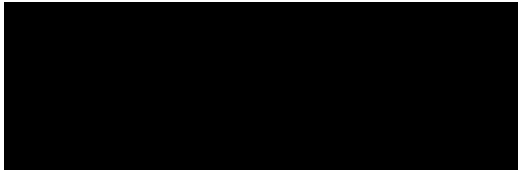
DR. CADE BRUMLEY
STATE SUPERINTENDENT



CLAIBORNE BUILDING
1201 N 3RD ST.
BATON ROUGE, LA 70802

LOUISIANA DEPARTMENT OF EDUCATION

October 31, 2025



Oliver Winston
Educational and Legal Facilitator/Risk Management
Iberia Parish School District
P.O. Box 200
1500 Jane Street
New Iberia, LA 70563
olwinston@iberiaschools.org

Re: Findings-Decisions in Special Education Formal Complaint No. **56-C-13** on behalf of [REDACTED]

I. Introduction

On September 4, 2025, the Louisiana Department of Education ("Department") received a formal complaint from the [REDACTED] ("Complainant"), on behalf of a minor child ("Student") enrolled in a school under the jurisdiction of the Iberia Parish School District ("District").

II. Statement of the Case

The Complainant alleges that the District violated confidentiality provisions of the Individuals with Disabilities Education Act (IDEA) and/or the Louisiana Children with Exceptionalities Act and its regulations published in Louisiana Bulletin 1706 by disclosing personally identifiable information (PII)—specifically the foster parents' home address—to allegedly unauthorized individuals, namely the student's biological parents, during IEP meetings held on or about May 21, 2024, and April 9, 2025.

Although the complaint cites other statutory and regulatory frameworks—including the general application of the Family Educational Rights and Privacy Act (FERPA), child welfare laws, and Department of Children and Family Services (DCFS) policies—and seeks remedies such as disciplinary action, damages-related settlement negotiations, and policy reform, this investigation is limited strictly to the IDEA and its state implementation in Bulletin 1706. While certain provisions of FERPA have been incorporated into the IDEA regulations by reference, the Department has no authority to enforce the general provisions of FERPA or to grant relief for alleged violations of FERPA that fall outside of its implementation within IDEA, nor to investigate or grant relief under child welfare statutes or tort law.

Pursuant to Bulletin 1706 §§ 151 through 153, the Department's state complaint procedures are expressly limited to alleged violations of Part B of the IDEA and its state implementing provisions. These include procedural and substantive violations involving the identification, evaluation, placement, or provision of a free appropriate

public education (FAPE) to students with disabilities. The state complaint system does not extend to issues arising under other legal regimes—including foster care confidentiality statutes, FERPA (except as incorporated into IDEA), tort law, or DCFS policy. The complaint process is a limited administrative mechanism designed to safeguard the educational rights of children with disabilities. It is not a general-purpose enforcement vehicle for all laws tangentially related to students or education.

Nothing in this decision should be construed to validate the broader factual assertions, legal interpretations, or requested remedies of the Complainant beyond the narrow issue addressed herein: whether the District violated IDEA's confidentiality provisions in its disclosure of the student's educational records.

The findings of fact and conclusions of law contained herein are based upon a review of the materials submitted during the course of the investigation. Louisiana Bulletin 1706 § 152(C) states a complaint "shall allege a violation that occurred not more than two years prior to the date that the complaint is received in accordance with §§ 151 through 153." Therefore, the investigation was limited to alleged violations that occurred between September 3, 2023, and September 4, 2025.

III. Findings of Fact

The student at issue is a child with a disability eligible to receive special education and related services under the Individuals with Disabilities Education Act. At all times relevant to the complaint, the student was in the custody of the Louisiana Department of Children and Family Services (DCFS) and placed in the care of foster parents.

Two Individualized Education Program (IEP) team meetings occurred during the relevant time period: the first on May 21, 2024, for the purpose of developing an initial IEP following an evaluation conducted pursuant to Bulletin 1508, and the second on April 9, 2025, for the purpose of IEP review and revision.

On May 6, 2024, the District issued a Prior Written Notice of Proposed Action to DCFS and the foster parents. This notice included the home address of the foster parents. Prior to the May 21, 2024, IEP meeting, DCFS informed the District that the parents might be in attendance. The District sought clarification, and DCFS confirmed that the biological parents would attend. The meeting was attended by District staff, the DCFS caseworker, the student's foster parents, and the student's biological parents. According to statements from District personnel, the student's evaluation report, which included the home address of the foster parents, was shared with meeting participants, including the biological parents.

On April 9, 2025, the student's IEP Team convened again to conduct a review and revision of the IEP. Present at this meeting were District staff, the DCFS caseworker, the student's foster parents, and the student's biological parents. In connection with the April 2025 IEP meeting, the District provided a Prior Written Notice of Proposed Action to DCFS and the foster parents. This notice included the foster parents' home address. According to District personnel, only the DCFS caseworker and the foster parents were provided copies of the revised IEP. District personnel reported that the IEP itself did not contain the foster parents' address.

The complaint that forms the basis of this decision was filed on September 4, 2025. It alleges that the District improperly disclosed the foster parents' address in the student's education record to the student's biological parents in violation of IDEA, FERPA, Louisiana child welfare confidentiality laws, and DCFS policy. The complaint further alleges that these disclosures caused emotional distress and safety concerns, referencing a protective order issued in August 2025 listing DCFS as petitioner on behalf of the student. The protective order referenced in the complaint was not in effect at the time of either the May 21, 2024, or April 9, 2025, IEP meetings. No evidence was provided to establish that, prior to or during the relevant meetings, any legal limitation existed on the biological parents' access to educational records or participation in IEP meetings.

IV. Conclusions of Law

Under IDEA and its implementing regulations at 34 C.F.R. §§ 300.610–300.626, and corresponding state provisions in Bulletin 1706 §§ 123 and 611 through 626, public agencies must ensure the confidentiality of personally identifiable information (PII) collected, used, or maintained in the provision of special education. Specifically, 34 C.F.R. § 300.623(a) and Bulletin 1706 § 623(A) mandate that participating agencies protect PII at the stages of collection, storage, disclosure, and destruction.

Personally identifiable information is defined under 34 C.F.R. § 300.32 and Bulletin 1706 to include a student’s name, address, and other data that would make the student’s identity easily traceable. The disclosure of such data to unauthorized individuals may constitute a breach of IDEA confidentiality protections.

The IDEA defines “parent” at 34 C.F.R. § 300.30 and Bulletin 1706 § 905 to include a biological or adoptive parent, a foster parent, a legal guardian, an individual acting in the place of a parent with whom the child resides, or a surrogate parent. While foster parents are explicitly included in the definition of “parent,” both federal and state regulations impose a presumption that a biological or adoptive parent is the parent under IDEA unless that individual does not have legal authority to make educational decisions. This presumption may be overcome if a judicial decree or order designates another individual to act as the parent or to make educational decisions on behalf of the student. In that event, the decree controls. See 34 C.F.R. § 300.30(b)(2); Bulletin 1706 § 905.

In this case, DCFS expressly notified the District of the parents’ attendance for at least one of the meetings, and DCFS participated in both meetings with the biological parents. No documentation was provided during the course of this investigation to indicate that the educational rights of the student’s biological parents had been terminated or limited at the time of either the May 21, 2024, or April 9, 2025, IEP meetings. Accordingly, the biological parents were legally recognized as “parents” under IDEA and entitled to access the student’s educational records and participate in special education decision-making. Because the biological parents were not barred from accessing educational records or participating in IEP proceedings and were entitled under IDEA to receive information concerning their child’s identification, evaluation, and placement, their receipt of educational records containing the student’s information does not, in and of itself, constitute a violation of IDEA’s confidentiality protections.

Based upon the available information, the undersigned finds that the District did not violate the Individuals with Disabilities Education Act and/or the Louisiana Children with Exceptionalities Act and its regulations published in Louisiana Bulletin 1706 in its handling of education records related to the student. Allegation 1 is unsubstantiated.

V. Conclusion

This decision resolves the sole allegation properly before the Louisiana Department of Education under the IDEA state complaint process—whether the District violated IDEA’s confidentiality provisions by disclosing personally identifiable information. Based on the information available, the student’s biological parents were legal “parents” under IDEA at the time of both IEP meetings and were therefore entitled to access the student’s education records. Accordingly, no violation of IDEA or Bulletin 1706 has been substantiated, and no corrective action is required. The complaint is closed.

To the extent the complainants seek relief under FERPA (beyond its incorporation into IDEA), Louisiana confidentiality statutes, DCFS policy, or any form of personal or injunctive remedy, those matters fall outside the jurisdiction of this process. The Louisiana Department of Education’s authority under 34 C.F.R. § 300.153 and Bulletin 1706 §§ 151–153 is limited to resolving violations of IDEA and its implementing state regulations.

Respectfully,



Domonique Dickerson, Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Heath Hulin, Superintendent, Iberia Parish School District
Alaina Black, Director of Special Education, Iberia Parish School District

Louisiana Special Education Complaint Investigation

56-C-14



Louisiana Special Education Complaint Investigation

56-C-15



Louisiana Special Education Complaint Investigation

56-C-16





LOUISIANA DEPARTMENT OF EDUCATION

October 17, 2025



Dr. Janet Harris
Director of Exceptional Student Services
East Baton Rouge Parish School System
6550 Sevenoaks Avenue
Baton Rouge, LA 70806
janetharris@ebrschools.org

Drew Thomas
Great Hearts Harveston
11801 Bluebonnet Blvd.
Baton Rouge, LA 70810
Drew.thomas@greathearts.org

RE: Formal Complaint Investigation on behalf [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-16**

Dear Parties:

On October 15, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-16**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: LaMont Cole, Superintendent, East Baton Rouge Parish School System (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-17





LOUISIANA DEPARTMENT OF EDUCATION

October 3, 2025



Alvado C. Willis, Director
Special Education Department
St. Landry Parish Schools
1013 E. Creswell Lane
Opelousas, LA 70571
awillis@slpsb.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-17**

Dear Parties:

On October 3, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-17**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Milton Batiste, III, Superintendent, St. Landry Parish Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-18





LOUISIANA DEPARTMENT OF EDUCATION

October 8, 2025

Dr. Eric Penalber
Director of Special Education
Livingston Parish Public Schools
P.O. Box 1130
Livingston, LA 70754
Eric.penalber@lpsb.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-18**

Dear Parties:

On October 8, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-18**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Jody W. Purvis, Superintendent, Livingston Parish Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-19



Louisiana Special Education Complaint Investigation

56-C-20



Louisiana Special Education Complaint Investigation

56-C-21





LOUISIANA DEPARTMENT OF EDUCATION

October 9, 2025

Dr. Adrina Million, Director
LeBlanc Special Services Center
Ascension Public Schools
611 N. Burnside Avenue
Gonzales, LA 70737
Adrina.million@apsb.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-21**

Dear Parties:

On October 9, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-21**. No further action is required by either party.

Sincerely,

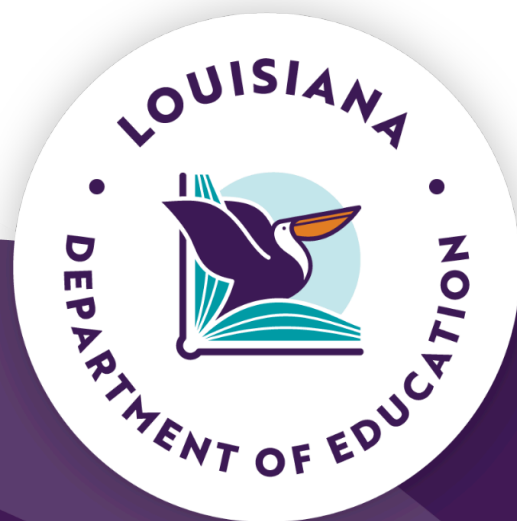
Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Dr. Edith Walker, Superintendent, Ascension Parish Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-22





LOUISIANA DEPARTMENT OF EDUCATION

October 9, 2025



Dr. Janet Harris
Director of Exceptional Student Services
East Baton Rouge Parish Schools
6550 Sevenoaks Avenue
Baton Rouge, LA 70806
janetharris@ebrschools.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-22**

Dear Parties:

On October 9, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-22**. No further action is required by either party.

Sincerely,

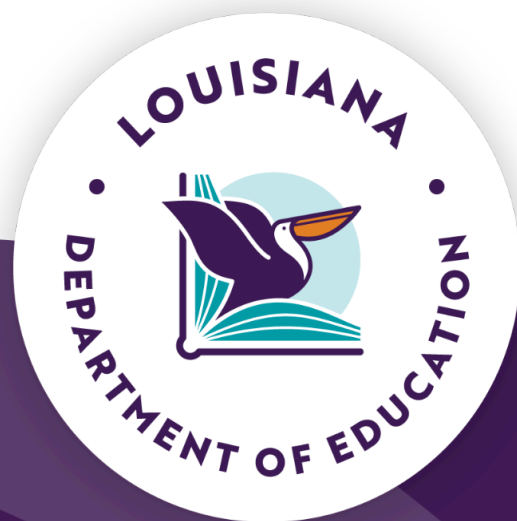
Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: LaMont Cole, Superintendent, East Baton Rouge Parish Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-23





LOUISIANA DEPARTMENT OF EDUCATION

October 10, 2025

Sherri Lacoste
Supervisor of Special Education Department
Acadia Parish Schools
2402 North Parkerson Ave.
Crowley, LA 70526
slacoste@apsbonline.org

RE: Formal Complaint Investigation on behalf of [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-23**

Dear Parties:

On October 10, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-23**. No further action is required by either party.

Sincerely,

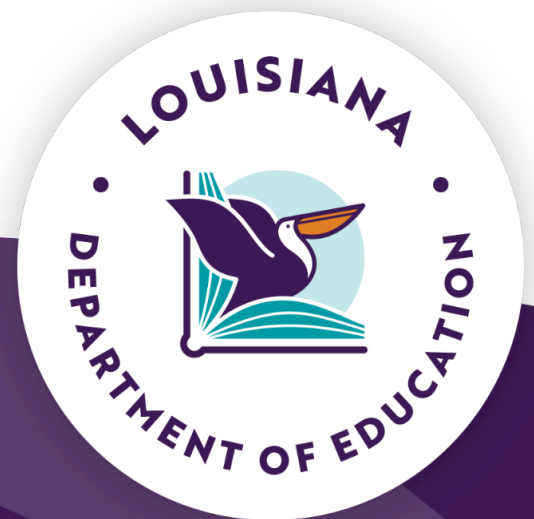
Lindsey P. Dupree, Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Carol D. Tall, Superintendent, Acadia Parish Schools (email only)

Louisiana Believes

Louisiana Special Education Complaint Investigation

56-C-24



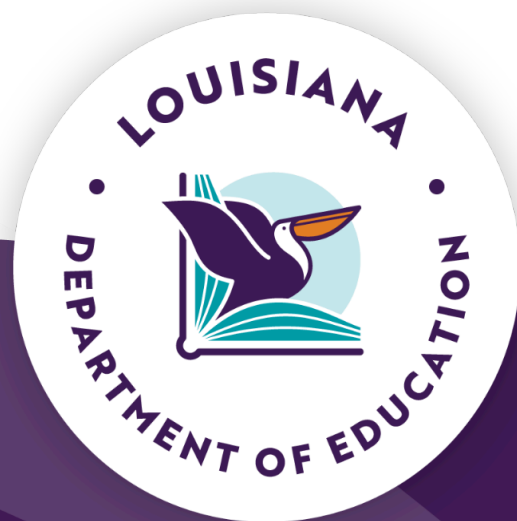
Louisiana Special Education Complaint Investigation

56-C-25



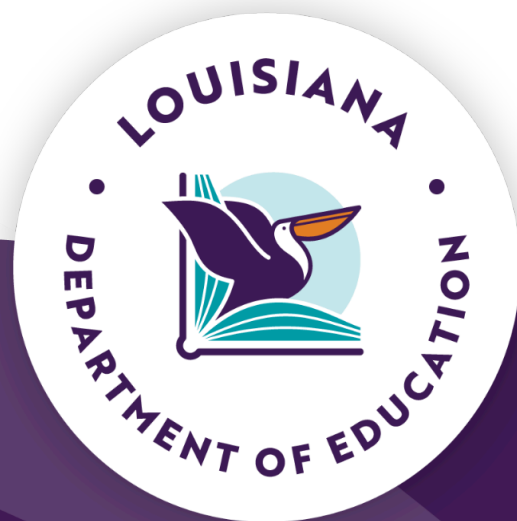
Louisiana Special Education Complaint Investigation

56-C-26



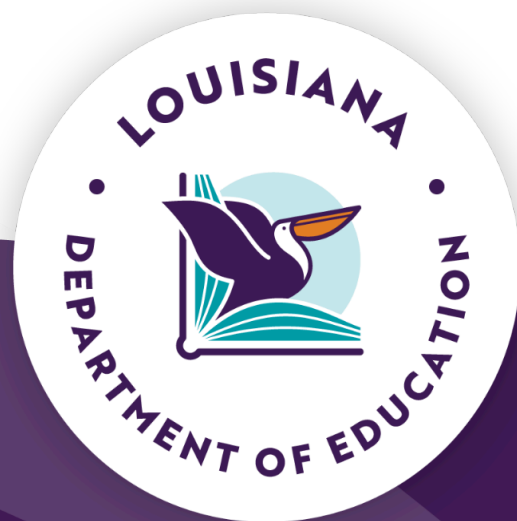
Louisiana Special Education Complaint Investigation

56-C-27



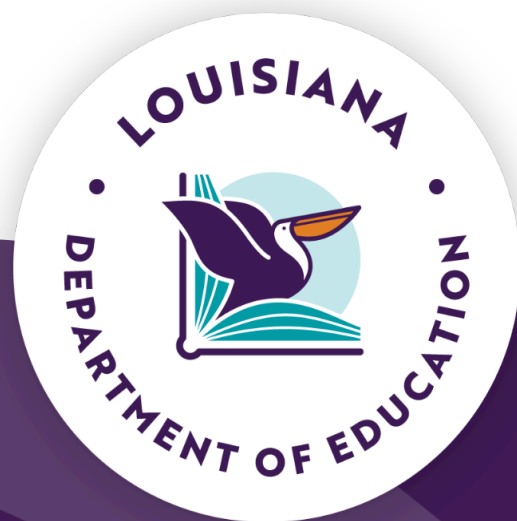
Louisiana Special Education Complaint Investigation

56-C-28



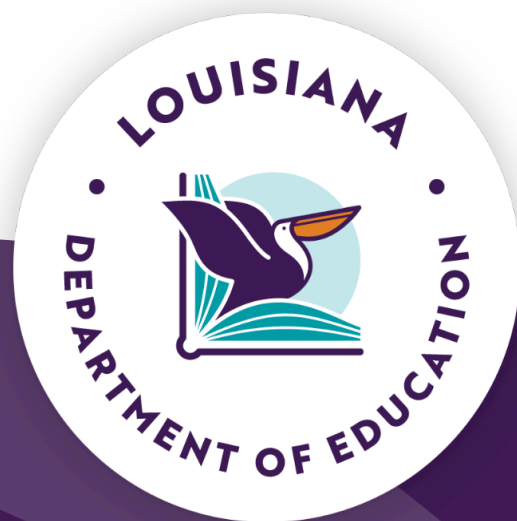
Louisiana Special Education Complaint Investigation

56-C-29



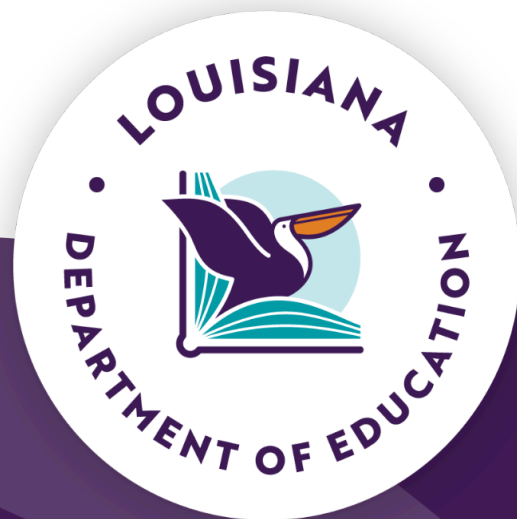
Louisiana Special Education Complaint Investigation

56-C-30



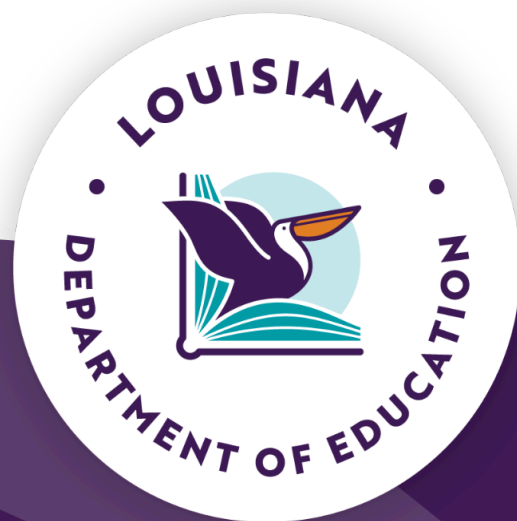
Louisiana Special Education Complaint Investigation

56-C-31



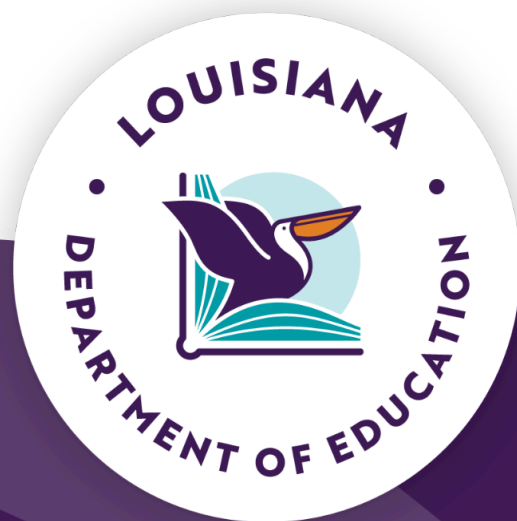
Louisiana Special Education Complaint Investigation

56-C-32



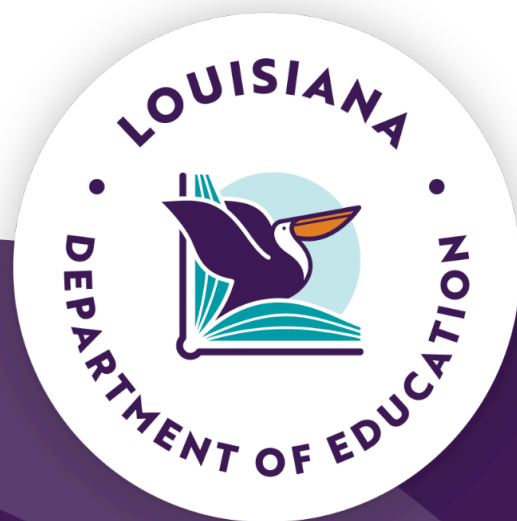
Louisiana Special Education Complaint Investigation

56-C-33



Louisiana Special Education Complaint Investigation

56-C-34



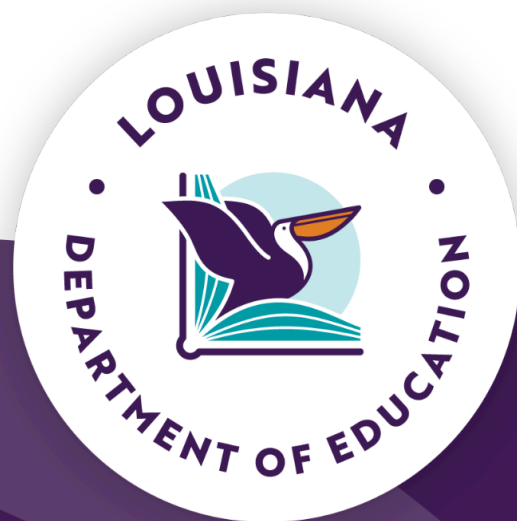
Louisiana Special Education Complaint Investigation

56-C-35



Louisiana Special Education Complaint Investigation

56-C-36





LOUISIANA DEPARTMENT OF EDUCATION

October 31, 2025



Angela Westerburg
Director of Student Support
Ouachita Parish School System
1600 North 7th Street
West Monroe, LA 71291
westerburg@opsb.net

RE: Formal Complaint Investigation on behalf [REDACTED]
Dismissal of Special Education Formal Complaint No. **56-C-36**

Dear Parties:

On October 28, 2025, the Louisiana Department of Education received notification that indicated that parties to this formal complaint reached a mutually agreeable resolution and that the complainant wished to withdraw the formal complaint investigation request.

Therefore, the LDOE is officially dismissing special education formal complaint **56-C-36**. No further action is required by either party.

Sincerely,

Domonique Dickerson
Investigating Attorney
Office of Executive Counsel
Louisiana Department of Education
(225) 342-3572 (phone)/(225) 342-1197 (fax)
DisputeResolution.DOE@la.gov

CC: Todd Guice, Superintendent, Ouachita Parish School System (email only)

Louisiana Believes