UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

August 11, 2026

Via e-mail only to: [redacted content]

Brady Dickinson
Superintendent
Twin Falls School District
201 Main Avenue West
Twin Falls, Idaho 83301

Re: Twin Falls School District, OCR Case Number 10261066

Dear Superintendent Dickinson:

This letter is to inform you of the disposition of the above-referenced complaint filed against the Twin Falls School District (District) with the U.S. Department of Education (Department), Office for Civil Rights (OCR). The complaint alleged that the District discriminated against a [redacted content] student (the Student) by failing to implement the Student's Individual Education Program.

As explained below, prior to completion of OCR's investigation, the District expressed an interest in voluntarily resolving the complaint and signed the enclosed Voluntary Resolution Agreement (agreement) to address the complaint allegation.

OCR enforces Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of federal financial assistance. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq*., and its implementing regulations at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. As a recipient of federal financial assistance from the Department and as a public entity, the District is subject to these laws.

The regulation implementing Section 504 at 34 CFR 104.33(a) requires a recipient that operates a public elementary or secondary education program or activity to provide a free appropriate public education to each qualified student with a disability that is in the recipient's jurisdiction.

OCR's investigation to date indicated that the Student transferred to the District from another school district at the beginning of the 2025-2026 school year. The previous school district developed an Individualized Education Program (IEP) for the student due to a disability category of an [redacted content]. The District held an IEP meeting when the student transferred into the District and determined not to adopt the Student's previous IEP from the transferring school district, and rather created a "transfer" IEP and behavior plan for the Student. The transfer IEP was unsigned and indicated that there would be another IEP meeting to create a standard IEP for the Student.

Over the first two months of the school year, documents reflected that the Student was suspended out-of-school nine times, given in-school suspension three times, was tardy to class over 30 times, and was charged criminally for an incident where the student was verbally aggressive toward school staff. The District did not provide OCR with information indicating that an IEP meeting took place for the Student after the initial transfer IEP was created, either to create the standard IEP, review the transfer IEP and behavior plan, or determine if the student's behavior was a manifestation of his disability. The Student's parent withdrew the student from the District on [redacted content].

Based on the evidence gathered to date, OCR identified compliance concerns regarding the provision of a free appropriate public education (FAPE) for the Student. Specifically, OCR identified concerns that the District may have initially failed to follow adequate evaluation and placement procedures for the Student at the beginning of the 2025-2026 school year and also may have subjected the Student to a significant change in placement due to multiple instances of exclusionary discipline.

In accordance with Section 302 of the OCR Case Processing Manual (February 19, 2025), a complaint may be resolved at any time when, before the conclusion of an investigation, the recipient expresses an interest in resolving the complaint allegation and OCR determines that it is appropriate to resolve the issues under investigation with an agreement during the course of an investigation. In this case, the District requested to resolve the complaint prior to the conclusion of OCR's investigation. In light of the District's willingness to address the concerns identified by OCR comprehensively without further investigation, OCR determined that entering into a voluntary resolution agreement was appropriate. Subsequent discussions with the District resulted in the District signing the enclosed agreement.

The actions the District will take under the agreement include training District and school administrators and special education staff on the provision of a free appropriate public education, the District's process for holding IEP meetings and reviewing placements when students are not making progress in their placement or otherwise

unable to access FAPE due to behavior; and requirements for behavior intervention plans and discipline. The District will also hold an IEP meeting to determine what evaluations are necessary to determine the student's disability-related needs to create a plan to provide the Student a free appropriate public education, and to determine whether compensatory education is appropriate for the Student.

This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public.

This concludes OCR's investigation of the complaint. The complainant may have the right to file a private suit in federal court regardless of OCR's determination.

Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the individual may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

OCR will monitor the implementation of the agreement and will close the complaint when OCR determines that the terms of the agreement have been satisfied. The first report under the agreement is due by September 9, 2026.

Thank you for the cooperation that you and your staff extended to OCR staff in resolving this complaint. If have any questions about this letter, please contact me at brittany.whittle@ed.gov.

Sincerely,

/s/

Brittany Whittle
OCR Attorney

Enclosure: Voluntary Resolution Agreement