

WYOMING DEPARTMENT OF EDUCATION
SPECIAL PROGRAMS DIVISION
POLICY AND PROCEDURE MANUAL FOR SPECIAL EDUCATION

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- c. The decision shall include findings of fact, conclusions of law, and order, including any remedy if applicable.
 - d. The decision of the hearing officer shall be binding upon both parties unless the decision is appealed in accordance with 34 C.F.R. §300.516.
 - e. A decision of a hearing officer that contains findings documenting noncompliance with the IDEA, federal regulations, or Wyoming rules shall be assigned to WDE Compliance and Monitoring staff to ensure correction and implementation of the hearing officer decision.
7. **The record.** The record in the due process hearing shall include:
- a. The request for due process hearing and any amendments;
 - b. All pleadings, motions, and non-dispositive rulings;
 - c. A statement of all matters officially noticed, including admitted exhibits;
 - d. Offers of proof, objections, and rulings thereon;
 - e. Proposed findings of fact and conclusions of law, if any; and
 - f. Findings of Fact, Conclusions of Law, and Order issued by the hearing officer.
8. **Appeal.** An aggrieved party may appeal the decision of the hearing officer consistent with 34 C.F.R. §300.516.
9. **Attorneys' fees.** The prevailing party in a due process hearing may seek attorneys' fees from a court of competent jurisdiction. A court may award reasonable attorneys' fees subject to the limitations in 34 C.F.R. §300.517.
10. **Expedited hearings.** An expedited due process hearing may be initiated consistent with 34 C.F.R. §300.532 and the above due process hearing procedures in paragraph (c) of this section. The expedited hearing shall be conducted pursuant to 34 C.F.R. §300.532.
11. **Child's status during proceedings.** Except as provided in 34 C.F.R. §300.533 (regarding disciplinary removals), during the pendency of any administrative or judicial proceeding regarding a due process hearing, unless the State, school district or public agency, and the parents of the child agree otherwise, the child that is the subject of the dispute must remain in his or her current educational placement consistent with 34 C.F.R. §300.518.
- J. The decision in redacted form shall be transmitted to the Wyoming Advisory Panel for Students with Disabilities and posted on the WDE website at: <http://www.k12.wy.us/se.asp> consistent with 34 C.F.R. §300.514(c).
- K. Link to general supervision. Pursuant to its general supervisory responsibility, WDE shall ensure that all hearing officer findings of noncompliance are referred to the monitoring system for action consistent with WDE's general supervision procedures.