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STUDENT HEARING OFFICE
OSSE

Office of Review & Compliance

Student Hearing Office
Van Ness Elementary School
1150 5th Street, S.E., 1st Floor
Washington, D.C. 20003
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Confidential

The Student Through their)	IMPARTIAL
)	DUE PROCESS HEARING
Parents,*)	
Case No.:)	
)	<u>DECISION AND ORDER</u>
Petitioner,)	
)	
vs.)	Due Process Compl. Filed: Apr. 8, 2009
)	Rescheduled Hr'g Date: June 23, 2009
The District of Columbia Public Schools,)	Held at: Van Ness Elementary School
Home School:)	1150 5th Street, S.E., 1st Floor
Attending:)	Washington, D.C. 20003
)	
Respondent.)	Pre-Hr'g Conference Held By-Phone on
)	Wednesday, May 21, 2009 at 3:30 p.m.

Counsel for the Parent/Student: **Law Office of
Joy Freeman-Coulbary, PLLC
Attorney at Law
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District of Columbia Public Schools: **Laura George, Esq. (FYI)
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LEA,

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Independent Hearing Officer:

Frederick E. Woods

*** Party identification information is stated in Appendix A of this order and Appendix A shall be removed from this order before public dissemination.**

I. Case Background and Procedural Information

A. JURISDICTION

This Decision and Order is written pursuant to the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. No. 108-446, codified at 20 U.S.C. §§ 1400 -1482, 118 Stat. 2647; and its implementing regulations codified at 34 C.F.R. §§ 300.01 – 300.818; 5 D.C.M.R. §§ 3000 - 3033.

B. DUE PROCESS RIGHTS

Before the hearing the parent had been advised of their due process rights.

C. FIVE-DAY DISCLOSURES

Petitioner: Admitted, without objection, a disclosure letter filed on 06/01/09 that list seven (7)-witnesses and attached eight exhibits sequentially labeled and tabbed Parent-01 through Parent-08. Three witnesses were called to testify: (1) the parent; (2) a private psychologist; and (3) a social worker.

Respondent: Admitted, without objection, a disclosure letter filed on 06/02/09 that list five (5)-witnesses and attached thirty exhibits sequentially labeled and tabbed -01 through -30. Four witnesses were called to testify: (1) the special education coordinator; (2) an English teacher; (3) an school counselor; and (4) the principal.

D. STATEMENT OF THE CASE

The student, born age years 7-months, is a grade general education student attending located at phone number (R. at Parent-01.) For almost two-months, from September 2, 2008 until October 29, 2008, the student attended the located at phone number

The student's mother said that based on the Office of Discipline Referral Forms, dated from 09/17/08 – 10/23/08, that document the student's behavior problems, should have began its early intervention process to address the student's behavior issues but failed to do so. (R. at Parent-01, 04; IDEA-14-28.)

Consequently, on 04/08/09 parent's counsel filed the student's 04/08/09 Due Process Complaint ("DPC") alleging that as the LEA violated the IDEA and

denied the student a Free Appropriate Public Education (“FAPE”) by doing one thing: (1) failing to begin the student’s early intervention process and to evaluate the student to determine her eligibility for special education services. (R. at Parent-01.)

As relief, the parent wants _____ to fund the parent’s independent educational evaluations (“IEEs”) and Compensatory Education. (R. at Parent-01.)

The _____ did not provide a written Response to the parent’s DPC. Its oral response made at the Pre-Hearing Conference denied the parent’s claims stating two reasons: (1) the school had planned to convene an EIT Meeting [an Early Intervention Team process meeting] to discuss the student’s behavior issues; and (2) before that meeting convened the student’s mother withdrew the student from the school.

The OSSE Student Hearing Office (“SHO”) rescheduled the due process hearing for 11:00 a.m. on Tuesday, June 23, 2009 at Van Ness Elementary School, 1150 5th Street, S.E., 1st Floor, Washington, D.C. 20003. The parent selected to have a closed due process hearing that convened, as rescheduled, 75-days after the 04/08/09 DPC was filed.

Attorney Lathal Ponder appeared in-person representing _____ Attorney Joy Freeman-Coulbary appeared in-person representing the student who was present; and the student’s mother who also was present. DCPS was not a named party in the DPC. The student, however, is presently enrolled in a D.C. public school.

II. Issue

Did _____ as the LEA, violate the IDEA and deny the student a FAPE during the 2008-09 school year by doing one thing: (1) failing to start an Early Intervention Team process for the student during the approximately 40-school days she was enrolled at the school when the student had several written Disciplinary Referrals that expressed concerns about her behavior?

Brief Answer

No. _____ did not deny the student a FAPE. Albeit _____ did not begin its early intervention process on the student or determine if the student should be evaluated for special educations services before the parent withdrew the student from the school, a failure to evaluate is a procedural violation of the IDEA. But that procedural violation did not result in a denial of a FAPE to the student.

III. FINDINGS OF FACT

1. The student, born _____ age _____-years 7-months, is a _____ grade general education student attending _____

located at
phone number (R. at Parent-01.) For almost two-months, from September 2, 2008 until October 29, 2008, the student attended the

located at
phone number

2. On 09/02/08 the student's mother completed, signed, and submitted in-person the Student Enrollment Application for the 2008-09 School Year. On that application she answered no to the questions about whether her daughter ever received or had been referred for special education or mental health services. (R. at IDEA-08.)
3. And the parent left blank the space on the application that ask the parent to list any other information pertaining to their child's health that the school may need to know. (R. at IDEA-08.)
4. The application was accepted and the parent enrolled the student in The student attended for approximately 40-school days, from September 2, 2008 until October 29, 2008 when she was withdrawn by her mother. October 29, 2008 is also the same day the student was discharged from her six-days of treatment at The Here is what happened.
5. On October 23, 2009, the student was first taken to Children's National Medical Center by police from because "she [the student] had attempted to leave school without having taken her prescribed medication and was deemed a flight risk." (R. at Parent-02.)
6. According to the 01/05/09 Discharge Summary, the "Chief Complaint [the main reason the student was referred to was because of her] out-of control behavior." The evaluator sated that "the student was admitted to her first admission there, due to increased assaultive behavior for the past few days, [days before 10/23/08] which included throwing furniture at school and hitting peers." (R. at Parent-02.)
7. That behavior is documented in the student's last four Office Discipline Referral Forms—one dated 10/23/08, and three dated 10/22/08. (R. at Parent-07.)
8. After her six-day evaluation at her evaluator's Discharge Diagnosis on Axis I was: ADHD; ODD; and Parent-child relational problems. And the evaluator prescribed medication for the student of Ritalin 20-mg after breakfast and Ritalin 20-mg after lunch. (R. at Parent-02.)

9. Next, on 10/29/08 the parent withdrew the student from _____ and enrolled her in _____. Before withdrawing the student the parent did not discuss the _____ Discharge Report with the staff at _____ and the parent did not provide _____ with a copy of the _____ Discharge Report dated 01/05/09—and could not have because it was not written until two (2)-months after the student had been withdrawn from _____. (R. at Parent-02, mother’s testimony.)
10. Before the student was admitted to _____ her mother said that the student had been prescribed Ritalin but had stopped taking it. And she said that the student did not take any medications while she was enrolled at _____. However, when the student is taking her medication her behavior is fine. (R. at mother’s testimony.)
11. In fact, the mother said that when the student first enrolled at _____ on or about 10/29/08, her behavior improved and she did not have behavior problems until around February and March 2009. So when the parent enrolled the student at _____ on 10/29/09 she did not request that the student be evaluated for special education services. (R. at mother’s testimony.)
12. She said that her daughter received grades of “A and B” in her course work at _____ like she had during the 2007-08 school year at the school she attended in the State of Maryland before enrolling in _____. (R. at mother’s testimony.) The mother candidly explained the change in daughter’s behavior as follows.
13. The student’s mother testified that “she [the student] did excellent when she started at _____ for two reasons: (1) the family no longer were living in a shelter as they had been for a year; and (2) the student was taking her prescribed Ritalin medication. (R. at mother’s testimony.)
14. However, in February and March 2009 the student started having behavior problems at _____. Consequently about two weeks before the end of the 2008-09 school year the parent requested, for the first time that her daughter be evaluated for special education services. The status of that request, however, was unknown at the time of the due process hearing, and that request was not raised as an issue in the student’s 04/08/09 DPC. (R. at Parent-01, mother’s testimony.)
15. Based on the mother’s demeanor during her testimony, the hearing officer found the mother’s explanation of her daughter’s behavior problems in school and at home credible due to the thoughtful, candid, unrehearsed manner that she responded to all questions asked of her.

16. According to the student's mother, when her family moved from the State of Maryland into D.C. for the 2008-09 school year the family lived in a shelter. That living arrangement had a negative impact on her daughter's behavior. Also during that time period her daughter was not taking any medication. Those two factors combined with peer pressure and her daughter's desire to have individual attention in the classroom caused her to have more severe behavior problems while attending (R. at mother's testimony.)
17. And the behavior problems the student was having at are documented in 15-separate Disciplinary Referral Forms dated from 09/17/08 to 10/23/08—albeit none of the referrals led to an out-of school suspension. (R. at Parent-07; IDEA-14-28.)
18. But based on one referral, on 10/08/09, the student's English teacher referred the student for the school's Early Intervention Team ("EIT") process so that the relevant school staff could convene to discuss the student's behavior problems documented in the referrals and to develop strategies to address them. (R. at student's English teacher's testimony.)
19. However, three weeks after the English teacher's 10/08/08 EIT referral and before the EIT convened, on 10/29/08, the parent withdrew the student from and enrolled her in (R. at mother's testimony; student's English teacher's testimony.)
20. According to the special education coordinator the goal of the EIT process is to discuss interventions to help a student at school both socially and academically. (R. at special education coordinator.)
21. And according to the school's principal, teachers are encouraged to document in writing student infractions of the school rules that occur in the classroom—as was done on this student. (R. at principal's testimony.)
22. The parent never requested that evaluate her daughter to determine her eligibility for special education services nor is there a written signed Parental Consent to Evaluate Form submitted as documentary evidence in this case.
23. Finally, the hearing officer did not find the testimony by-phone of the student's private psychologist probative because she was hired by parent's counsel two weeks before the due process hearing and had not evaluated the student. The psychologist had never observed the student

in her classroom; and had never even met the student. Her testimony was simply based on a records review that did not include the student's school records from the 2007-08 school year nor her records from [redacted] for the 2008-09 school year. She based her testimony and recommendations solely on the approximate 40-school days the student attended [redacted] and did not consider the days the student was absent from school or class. (R. at private psychologist's testimony.)

24. In summary, a referral to the EIT process is not a referral for a special education evaluation; and even if at the conclusion of the EIT process the team recommended that the student be evaluated for special education services, the parent did not present any evidence about when the evaluation should have been completed nor about how a delayed evaluation caused educational harm to the student.
25. Particularly when the parent after withdrawing the student from [redacted] did not request that the new school evaluate the student because the student's behavior improved once she started taking her medication and the family moved out of their shelter residence into their own home. (R. at mother's testimony.)
26. Moreover, even if [redacted] had ultimately decided that the student should undergo an initial evaluation to determine her eligibility for special education services, it had 120-days from the date of the 10/08/08 referral to complete that evaluation—until 02/08/09. But the parent withdrew the student on 10/29/08 and had never requested an evaluation.
27. Arguendo, even if the parent had requested an initial evaluation or the student's EIT process team decided that an initial special education evaluation was warranted, [redacted] failure to perform that evaluation would not result in a *per se* denial of a FAPE.
28. That is because in the District of Columbia a delayed evaluation is not a *per se* denial of FAPE. And the parent presented no evidence whatsoever about how any alleged delay caused the student educational harm as required by the IDEA.
29. So the hearing officer finds that [redacted] alleged failure to evaluate the student is without merit; and that even if it was true, a failure to evaluate is a procedural violation of the IDEA. But that procedural violation of the IDEA did not result in a denial of a FAPE.
30. Ergo, based on these findings, [redacted] did not deny the student a FAPE.

IV. DISCUSSION and CONCLUSIONS OF LAW:

I

The LEA is required to make a FAPE available to all children with disabilities within the jurisdiction of the District of Columbia.

The IDEA codified at 20 U.S.C. §§ 1400 - 1482. and 5 D.C.M.R. § 3000.1 requires the LEA to fully evaluate every child suspected of having a disability within the jurisdiction of the District of Columbia, ages 3 through 22, determine their eligibility for special education and related services and, if eligible, provide them with special education and related services through an appropriate IEP and Placement.

met its procedural obligations under the IDEA and it did not deny the student a FAPE. Here is why.

1. "If a child's initial evaluation suggests [s/he] is entitled to a FAPE, IDEA then requires the school district to create and implement an IEP, which is the 'primary vehicle' for implementing the Act." Hoing v. Doe, 485 U.S. 305, 311 (1988).
2. Pursuant to 5 D.C.M.R. § 3002.1, LEA Responsibility, "[t]he services provided to the child must address all of the child's identified special education and related services needs and must be based on the child's unique needs and not on the child's disability."
3. Pursuant to 5 D.C.M.R. § 3013.1(e), Placement, "[t]he LEA shall ensure that the educational placement decision for a child with a disability is based on the child's IEP."
4. Pursuant to 5 D.C.M.R. § 3025, Procedural Safeguards—Prior Written Notice, DCPS shall provide written notice to the parent of a child with a disability before it proposes...an educational placement of the child.
5. Pursuant to the IDEA at 20 U.S.C. § 1414 (d) (A), (B); 34 C.F.R. § 300.323 (a) Requirement that Program be in Effect—

At the beginning of each school year, each local educational agency ... shall have in effect for each child with a disability in the agency's jurisdiction an IEP.

6. Pursuant to Initial Evaluations at 34 C.F.R. § 300.301 (a): "Each public agency shall conduct a full and individual initial evaluation in accordance with § 300.305 and § 300.306 before the initial provisions of special education and related services [are provided] to a child with a disability under this part [Part B of the IDEA]."

7. Pursuant to Initial Evaluations at 34 C.F.R. § 300.304 (c)(4): “Each public agency must ensure that ... (4) “the child is assessed in all areas related to the suspected disability, including, if appropriate ... [their] social and emotional status.”
8. Pursuant to Initial Evaluations at 34 C.F.R. § 300.304 (c)(6): “Each public agency must ensure that ... (6) “in evaluating each child with a disability under §§ 300.304 - 300.306, the evaluation is sufficiently comprehensive to identify all of the child’s special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.”
9. Pursuant to 20 U.S.C. § 1414 (c)(1), “initial evaluation shall consist of procedures to determine whether a child is a child with a disability ... within 60-days of receiving parental consent for the evaluation, or if the State establishes a timeframe within which the evaluation must be conducted, within such timeframe.” The District of Columbia’s established evaluation timeline codified at D.C. Code Ann. § 38-2051(a) is [within 120-days of receipt of the referral].
10. To ensure that each eligible student receives a FAPE, the IDEA requires that an IEP be developed to provide each disabled student with a plan for educational services tailored to that student’s unique needs. See 20 U.S.C. § 1414 (d)(3).
11. Pursuant to 34 C.F.R. § 300.321 (a)(5), IEP Team, “[t]he public agency must ensure that the IEP Team for each child with a disability includes—an individual who can interpret the instructional implications of evaluation results.”
12. Pursuant to 34 C.F.R. § 300.116 (a)(1), Placements, “[i]n determining the educational placement of a child with a disability, each public agency shall ensure the placement decision is made by a group of persons, including the parent, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.”
13. Pursuant to 34 C.F.R. § 300.501(c), Parental Involvement in Placement Decisions, “[e]ach public agency shall ensure the parents of each child with a disability are members of any group that makes decisions on the education placement of their child.”
14. Pursuant to 5 D.C.M.R. § 3025, Procedural Safeguards—Prior Written Notice, DCPS shall provide written notice to the parent of a child with a disability before it proposes ...an educational placement of the child.
15. Pursuant to 34 C.F.R. §§ 300.323(a), (c)(2), IEP Must be in Effect, each public agency must provide special education and related services to a child with a disability in accordance with the child’s IEP.
16. . did not violate the cited IDEA obligations for these reasons:

- a. The student was not a special education student and the parent never triggered the cited IDEA obligations by requesting an initial evaluation of her daughter;
 - b. is authorized under the IDEA to attempt early intervention services before deciding whether to evaluate a student for special education services absent a parent requesting an evaluation;
 - c. The student had only attended for approximately 40-school days before the parent withdrew the student so there was not enough time for the school to test drive the EIT process and to evaluate the student under the IDEA; and
 - d. The parent did not request an evaluation of her daughter when the parent enrolled her in the new school because the student's behavior had markedly improved.
17. According to the student's mother, when her family moved from the State of Maryland into D.C. for the 2008-09 school year the family lived in a shelter. That living arrangement had a negative impact on her daughter's behavior. Also during that time period her daughter was not taking any medication. Those two factors combined with peer pressure and her daughter's desire to have individual attention in the classroom caused her to have more severe behavior problems while attending (R. at mother's testimony.)
18. And the behavior problems the student was having at are documented in 15-separate Disciplinary Referral Forms dated from 09/17/08 to 10/23/08—albeit none of the referrals led to an out-of school suspension. (R. at Parent-07; IDEA-14-28.)
19. But based on one referral, on 10/08/09, the student's English teacher referred the student for the school's Early Intervention Team ("EIT") process so that the relevant school staff could convene to discuss the student's behavior problems documented in the referrals and to develop strategies to address them. (R. at student's English teacher's testimony.)
20. However, three weeks after the English teacher's 10/08/08 EIT referral and before the EIT convened, on 10/29/08, the parent withdrew the student from and enrolled her in (R. at mother's testimony; student's English teacher's testimony.)
21. The IDEA authorizes a school district by statute, regulation, and case law to use early intervention screening before labeling a student as disabled.
22. According to 20 U.S.C. § 1400 14 (c)(5)(F), "[o]ver 20 years of research and experience has demonstrated that the education of children with disabilities can be

made more effective by—...providing incentives for whole-school approaches and pre-referral intervention to reduce the need to label children as disabled in order to address their learning needs.”

23. Further, albeit not binding in the District of Columbia but persuasive based on its reasoning, a sister district court upheld use of a Child Study Team (“CST”) as part of the regular pre-referral process before a student would be evaluated for special education services. The court held that “the use of such alternatives is not inconsistent with the IDEA. For it is sensible policy for LEAs to explore options in the regular education environment before designating a child as a special education student. The Child Study Team did not act as a ‘roadblock’ to prevent the parents from requesting a referral at any time for one simple reason: the parents could have requested a referral at any time—[which the parent did not request].” A.P. v. Woodstock Board of Education, 572 F. Supp. 2d 221, 228 (D. Conn. 2008).
24. The IDEA federal regulations also confirm that pre-referral processes are permissible under the IDEA.
25. Under 34 C.F.R. § 300.302, “[t]he screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered an evaluation for eligibility for special education and related services.” See also 20 U.S.C. § 1414 (a)(1)(E).
26. In this case, the student’s English teacher’s 10/08/08 referral to the EIT process is similar to the permissible CST process the student was referred to in the A.P. case because both are early intervention processes used to develop strategies and interventions for use in the general education classroom before designating a child as a special education student. The teacher’s EIT referral was not a referral to determine the student’s eligibility for special education services. And in both A.P. and this case the parent never requested a referral for an initial evaluation. A.P., 572 F. Supp. 2d at 228. So _____ did not fail to evaluate the student.
27. Moreover, not only is there no record evidence that the parent ever requested an initial evaluation of her daughter, there also was not any evidence that the parent signed a Parental Consent to Evaluate her daughter.
28. The parent’s sole claim boils down to these three things: (1) _____ should have performed an initial evaluation of her daughter; (2) _____ did not perform that evaluation; and (3) that failure results in a *per se* denial of a FAPE.
29. But in the District of Columbia even if an evaluation was warranted, a delayed evaluation is not a *per se* denial of FAPE. And the parent presented no evidence whatsoever about how the alleged delayed evaluation caused the student educational harm as required by the IDEA.

30. That is because an LEA's failure to timely evaluate a student after a referral or a parental request is a procedural violation of the IDEA, at best, that did not rise to a denial of a FAPE in this case. Here are the reasons why.
31. Under the IDEA at 20 U.S.C. § 1414 (E) (ii), and 34 C.F.R. § 300.513 (a) Decision of a hearing officer on procedural issues, states that, "[i]n matters alleging a procedural violation, a hearing officer may find that a child did not receive a free appropriate public education [FAPE] only if the procedural inadequacies—
- (I) impeded the child's right to a free appropriate public education;
 - (II) significantly impeded the parent's opportunity to participate in the decision making process regarding the provisions of a FAPE to the parent's child; or
 - (III) caused a deprivation of educational benefits."
32. And pursuant to 34 C.F.R. § 300.513 (3) Hearing Decisions, "[n]othing in paragraph (a) of this section shall be construed to preclude a hearing officer from ordering an LEA to comply with procedural requirements."
33. The student was not denied a FAPE because there was no evidence presented by the parent that a procedural inadequacy impeded her right to a FAPE nor deprived her of educational benefit since there was no evidence presented to demonstrate that the student's education was affected by any alleged procedural violation that may have committed.
34. Additionally, it did not impede the parent's opportunity to participate in the decision making process regarding the provision of a FAPE because there has not been any MDT meetings held for the student.
35. So there is no FAPE denial because there is no evidence whatsoever to establish a nexus between the levels of general education instruction the student now receives and a resulting educational harm or an impediment to the parent's role in decision making process regarding a FAPE to the student.
36. Moreover, the D.C. Circuit Court held that: "only those procedural violations of the IDEA which result in a loss of educational opportunity or seriously deprive parents of their participation rights are actionable." Lesesne v. District of Columbia, 447 F.3d 828, 834 (D.C. Cir. 2006) (citing Kruvant v. District of Columbia, 99 F. App'x 232, 233 (D.C. Cir. 2004) (holding that although DCPS

admits it failed to satisfy its responsibility to assesses the student within 120 days of the parents' request, the parents have not shown harm resulted from that error).

37. And "to prevail on a claim under the IDEA, a party challenging the implementation of an IEP must show more than *de minimis* failure to implement all elements of that IEP, and, instead must demonstrate that the school board or other authorities failed to implement substantial or significant provisions of the IEP. ... 'Failure to implement all services outlined in an IEP does not constitute a *per se* violation of the IDEA.'" Catalan v. District of Columbia, 478 F. Supp. 2d 73, 75-76 (D.D.C. 2007) (*holding* that a failure to provide all of a student's weekly speech-language therapy outlined in their IEP did not constitute a FAPE deprivation).
38. So based on this hearing record, there does not exist evidence supporting the parent's claim that the student was denied a FAPE because the claims alleged did not result in a *per se* denial of a FAPE to her daughter.
39. And Pursuant to 5 D.C.M.R. § 3030.3, "The burden of proof shall be the responsibility of the party seeking relief; either the parent/guardian of the child or the LEA. Based solely upon the evidence presented at the hearing, an impartial hearing officer shall determine whether the party seeking relief presented sufficient evidence to meet the burden of proof that the action and/or inaction or proposed placement is inadequate or adequate to provide the student a Free Appropriate Public Education (FAPE)."
40. The parent, who filed the Due Process Complaint, had and did not meet their burden of proof in this case because the parent:
 - a. Failed to prove that _____ denied her daughter a FAPE.

So in consideration of the hearing record, there is no finding that the student was denied a FAPE because the parent did not meet their burden of proof under the IDEA by proving their alleged procedural violations of the IDEA rose to the level to deny the student a FAPE. Ergo, based on the evidence and governing law the hearing officer issues this—

ORDER

1. The parent's 04/08/09, Due Process Complaint ("DPC") in Case No. _____ is dismissed, with prejudice—meaning that the issues that were or could have been raised in the 04/08/09 DPC based on the same facts against the same parties or privies that arise from the same time period that formed the basis for the 04/08/09 DPC that is resolved herein by a final judgment on the merits cannot be relitigated. See Apotex, Inc. v. FDA, 393 F.3d 210, 217 (D.C. Cir. 2004).

2. There is no finding that the student was denied a FAPE.
3. This Order resolved all issues raised in the student's 04/08/09 Due Process Complaint in Case Number that is dismissed with prejudice.
4. And the hearing officer made no additional findings.

This is the final ADMINISTRATIVE DECISION. An appeal can be made to a court of competent jurisdiction within ninety (90)-days from the date of this Decision and Order pursuant to 20 U.S.C. § 1415 (i)(1)(A), (i)(2)(B); 34 C.F.R. § 300.516 (b).

/s/ Frederick E. Woods
Frederick E. Woods
Hearing Officer

July 3, 2009
Date