

DISTRICT OF COLUMBIA
OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
Office of Dispute Resolution
1050 First Street, N.E., 3rd Floor
Washington, DC 20002

DISTRICT OF COLUMBIA)	
PUBLIC SCHOOLS,)	
)	
Petitioner,)	Hearing Officer: Peter Vaden
)	
v.)	Case No: 2025-0204
)	
PARENT, Attorney-in-Fact)	Hearing Date: February 2, 2026
for STUDENT,)	Date Issued: February 10, 2026
)	
Respondent.)	
)	

PARENT, Attorney-in-Fact)	
for STUDENT, ¹)	
)	
Petitioner,)	
)	
v.)	Case No. 2025-0212
)	
DISTRICT OF COLUMBIA)	
PUBLIC SCHOOLS,)	
)	
Respondent.)	
)	

HEARING OFFICER DETERMINATION
Consolidated Cases 2025-0204 and 2025-0212

INTRODUCTION AND PROCEDURAL HISTORY

These consolidated cases came to be heard upon the Administrative Due Process Complaint Notices filed by District of Columbia Public Schools (DCPS) and by MOTHER, respectively, under the Individuals with Disabilities Education Act, as

¹ Personal identification information is provided in Appendix A.

amended (the IDEA), 20 U.S.C. § 1400, *et seq.*, and Title 5-A, Chapter 5-A30 of the District of Columbia Municipal Regulations (DCMR). In Case No. 2025-0204, DCPS seeks an order by the hearing officer that it may proceed with its proposed special education reevaluation of Student. In Case No. 2025-0212, Mother seeks a finding that DCPS has denied Student a free appropriate public education (FAPE) by failing to review a March 2025 independent neuropsychological evaluation of Student obtained by his/her parents.

Procedural History

DCPS' Due Process Complaint in Case No. 2025-0204, filed on November 24, 2025, named Mother as Respondent. As alleged in DCPS' complaint, in October 2025, DCPS sought Mother's written consent to conduct a special education reevaluation of Student. Mother returned the signed consent forms, but she inserted conditions which were unacceptable to DCPS and were, in the District's view, tantamount to withholding parental consent. DCPS seeks to be allowed to proceed with its reevaluation of Student without being bound by Mother's conditions.

Mother's Due Process Complaint in Case No. 2025-0212, filed on December 4, 2025, named DCPS as Respondent. In her complaint, Mother alleged that on June 17, 2025, she provided DCPS a March 2025 independent neuropsychological evaluation report on Student, but that DCPS has refused to review the report and convene an Individualized Education Program (IEP) team meeting to develop an appropriate IEP

for Student. Mother seeks an order for DCPS to make a written review of the neuropsychological evaluation and develop an appropriate IEP for Student.

After the due process complaints were filed in Case No. 2025-0294 and 2025-0212, Student reached the age of majority and the parental rights under the IDEA transferred to him/her pursuant to 34 C.F.R. § 300.320(a). On February 2, 2026, Student executed a power of attorney granting Mother the power with respect to claims and litigation. Student also executed an education power of attorney granting FATHER the power, *inter alia* to make all school-related decisions, including decisions related to special education and the authority to act on his/her behalf under the IDEA.

The undersigned hearing officer was appointed on November 25, 2025 and on December 4, 2025 in the respective cases. On December 8, 2025, I convened a telephone prehearing conference with counsel to discuss the issues to be determined in the two cases, the hearing date and other matters. On December 8, 2025, without opposition from the parties, I ordered that Case No. 2025-0204 and Case No. 2025-0212 be consolidated for hearing and issued a prehearing order in the consolidated cases.

On December 20, 2025, I granted Mother's continuance request to hold the hearing in the consolidated cases on February 2, 2026 and to extend the final decision due date in Case No. 2025-0204 to February 13, 2026. The due date in Case No. 2025-0212 is February 27, 2026. On January 7, 2026, DCPS filed a motion to dismiss Case No. 2025-02112, which motion I denied by order issued January 14, 2026. On January

21, 2026, Mother, by counsel, filed a motion for an order to compel DCPS to produce meeting notes from an October 3, 2025 meeting, which motion I denied by order issued January 28, 2026. The parties met for a Resolution Session Meeting in Case No. 2025-0212 on January 27, 2026 and did not resolve the issues in dispute. This hearing officer decision is the final administrative decision for both cases.

The online hearing, which was closed to the public, was convened before the undersigned impartial hearing officer on February 2, 2026. With the parent's consent, the due process hearing was held online and recorded by the hearing officer, using the Microsoft Teams videoconference platform. Mother appeared for the hearing and was represented by PARENT'S COUNSEL. DCPS was represented by LEA REPRESENTATIVE and by DCPS' COUNSEL. Counsel for the respective parties made opening statements.

DCPS called SCHOOL PSYCHOLOGIST, SOCIAL WORKER and LEA Representative as witnesses. Mother testified and called no other witnesses. DCPS' Exhibits R-2, R-5, and R-10 through R-27 and R-29 through R-36 were admitted into evidence, including pages 62 through 122 of Exhibit R-10 admitted over the parent's objection. DCPS did not offer or withdrew Exhibits R-1, R-3, R-4, R-6 through R-9 and R-28. The parent's Exhibits P-4, P-6, P-7 and P-18 through P-29 were admitted into evidence, including Exhibits P-4, P-6, P-7 and P-22 admitted over DCPS' objections. I sustained DCPS' objections to Exhibits P-5, P-8, P-9, P-11, P-14, P-15, and P-17. The parent withdrew Exhibits P-10, P-12, P-13, and P-16. At the conclusion of the taking of

evidence in the consolidated cases, Parent's Counsel and DCPS' Counsel made oral closing arguments.

JURISDICTION

The hearing officer has jurisdiction under 20 U.S.C. § 1415(f) and 5A DCMR § 3049.1.

ISSUES AND RELIEF SOUGHT

The issue to be resolved in Case No. 2025-0204 filed by DCPS, and relief requested, are:

Whether DCPS may pursue a reevaluation of Student, in the absence of the parent's providing consent for the reevaluation, pursuant to 34 C.F.R. § 300.300(c)(1)(ii).

For relief, DCPS requests that the hearing officer order that it may proceed with its proposed special education reevaluation of Student, including an academic assessment, as proposed by DCPS to the parent in October 2025.

In Case No. 2025-0212 filed by Mother, the issue to be resolved and relief requested are:

Whether DCPS has denied the student a FAPE by refusing to review a June 17, 2025 independent neuropsychological evaluation report concerning Student provided by the parent, and failing to convene an IEP team meeting to consider the evaluation report and develop an appropriate IEP for Student.

For relief, the parent requests that the hearing officer order DCPS to provide a written review of the independent neuropsychological evaluation report on Student, to be conducted by a licensed neuropsychologist, and order that DCPS ensure that an

appropriate IEP is developed. The parent claims reservation of the right to claim compensatory education for Student until after DCPS reviews all evaluation/IEP documents.

FINDINGS OF FACT

After considering all of the evidence received at the due process hearing in these cases on February 2, 2026, as well as the argument of counsel, my findings of fact are as follows:

1. Student, a young adult, is a resident of the District of Columbia.

Testimony of Mother.

2. On February 22, 2024, the CITY SCHOOL multidisciplinary team (MDT) determined that Student was a student with a disability under the IDEA disability category Multiple Disabilities (MD). Exhibit R-16.

3. Since the winter break of the 2024-2025 school year, Student has been parentally placed, at the parents' expense, at NONPUBLIC SCHOOL, a nonpublic boarding school in North Carolina. Testimony of Mother.

4. The City School IEP team conducted an annual IEP review for Student on February 5, 2025. In the February 5, 2025 IEP, the IEP team reported, *inter alia*, that Student had been receiving Specialized Instruction at City School for the 2024-2025 school year. The team reported that, per parent report, Student had been enrolled in Nonpublic School in North Carolina since January 3, 2025. However, Student was still officially enrolled at City School at the time of the IEP meeting. Student was a student

with a disability code of multiple disabilities which included autism spectrum disorder (ASD), other health impairment (OHI) and specific learning disability (SLD). The February 5, 2025 IEP provided for Student to receive 7.25 hours of Specialized Instruction weekly in the general education setting and 2 hours per month of Behavioral Support Services. Exhibit R-16. The appropriateness of the February 5, 2025 IEP is not at issue in this proceeding.

5. In February and March 2025, Student was evaluated by NEUROPSYCHOLOGIST, a staff psychologist at a local hospital, on referral by his/her parents. Specific concerns for Student included difficulty modulating behavior and emotions, depression including self-harm, engaging appropriately with others, recognizing the impact of his/her behavior on others, and poor hygiene. Student was reported to have prior diagnoses of Autism Spectrum Disorder (ASD) and Attention Deficit/Hyperactivity Disorder (ADHD). Neuropsychologist issued a Report of Neuropsychological Evaluation (Independent Neuropsychological), apparently on or about March 26, 2025. Exhibit R-15. Mother provided the Independent Neuropsychological to DCPS in June 2025 and requested a meeting with DCPS to discuss the evaluation. Exhibit R-24.

6. On August 14, 2025, DCPS wrote the parents by email to schedule an Analysis of Existing Data (AED) meeting for Student on August 25, 2025. The parents were not available on that date. DCPS did not reach out to schedule another date until September 18, 2025, when the AED meeting was scheduled for October 3, 2025. Exhibit

R-24.

7. On October 3, 2025, DCPS convened the AED meeting for Student online on Microsoft Teams. Mother attended online. At the AED meeting, DCPS team members, including LEA Representative and School Psychologist, stated that they had “perused” the Independent Neuropsychological report on Student provided by the parent. School Psychologist stated that she would be the one to formally review the evaluation. In addition, School Psychologist would conduct a virtual observation of Student, speak to parents and teachers to collect more data, ask the parents and school to complete behavior scales, ask Nonpublic School for as much academic data as possible or conduct academic testing when Student was back home in the District of Columbia. LEA Representative stated at the AED meeting that School Psychologist might not know which additional tests would be needed until after she reviewed the Independent Neuropsychological and observed Student. The IEP team reviewed the Analysis of Existing Data. Based on the data presented, the school members of the IEP team agreed to order the following assessments subject to obtaining parental consent: IEE formal review (including updated academic achievement testing, rating scales, interviews, observations, educational record review) and a Behavior Data Collection. The team would reconvene to determine Student’s special education eligibility once the assessments were completed. Exhibit R-21.

8. On October 9, 2025, DCPS sent the parents a Prior Written Notice (PWN) concerning its proposed reevaluation of Student. The PWN notified the parents, *inter*

alia, that DCPS' review of the Independent Neuropsychological report would include additional evaluation and data collection measures such as observations of the student, a formal data collection and review, and may include updated academic achievement testing (math, written expression, and reading.) The PWN stated that the Independent Neuropsychological report was missing several key components needed to determine Student's IDEA eligibility and service planning, including updated cognitive measures, updated/current academic achievement measures, comprehensive school-based data, classroom observation, rating scales, and interviews. The PWN stated that the Independent Neuropsychological report did not have achievement testing or results/information and did not have any updated information regarding Student's current academic functioning. The PWN stated that the Independent Neuropsychological report was insufficient to appropriately determine Student's present levels of performance; that DCPS proposed the academic/achievement testing/evaluation in order to obtain a clear and current picture of Student's academic strengths and needs; that the determination of which standardized assessment measure was most appropriate would be made by the qualified professional assessor conducting the evaluation; that DCPS proposed Student be made available at a time when he/she was in the District to conduct achievement testing; that if this could not be done in person, another, less preferred, option would be for the DCPS school psychologist to collect additional data through current school records, including report cards, progress reports, work samples, curriculum-based measures and teacher narratives to supplement

Student's academic profile. The PWN stated that DCPS' evaluation procedure would include observation(s) of Student, interviews with providers, teachers and parent(s), and rating scales responses from parent, teacher, providers, and Student. Exhibit R-21.

9. On October 9, 2025, DCPS provided its reevaluation consent form to the parent and requested parental written consent to move forward with its proposed reevaluation of Student. Exhibit R-21, Testimony of LEA Representative. On or about October 15, 2025, Mother returned the "Consent for Initial Evaluation/Reevaluation" and "Medical Provider - School Information Release" forms to DCPS, both of which Mother had signed. Testimony of Mother. On the reevaluation consent form, Mother inserted limitations and contingencies, to wit,

- Consent provided for standardized academic testing in reading, math and written expression per DC request during AED meeting of 10/3.25. [sic]

- CONSENT IS CONTINGENT UPON:

1) DCPS AGREES TO ASSUME ALL COSTS ASSOCIATED WITH THIS REQUEST, INCLUDING BUT NOT LIMITED TO COSTS ASSOCIATED WITH OBTAINING MEDICAL AND EDUCATIONAL RECORDS, MEETING TIME, ETC.

2) PARENT MUST BE INCLUDED IN ALL COMMUNICATIONS ASSOCIATED WITH THIS REQUEST, INCLUDING ALL PHONE CALLS, MEETINGS, EMAILS. THERE ARE NO EXCEPTIONS FOR ANY REASON WHATSOEVER.

I will consider consenting to other testing if DCPS requests and specifics [sic] which testing they would like to do. As indicated above, I consent at this time to the three tests DCPS has requested to perform.

Exhibit P-21, Testimony of Mother. On the Medical Provider release, Mother inserted the following contingencies:

CONSENT IS CONTINGENT UPON:

1) DCPS AGREES TO ASSUME ALL COSTS ASSOCIATED WITH THIS REQUEST, INCLUDING BUT NOT LIMITED TO COSTS ASSOCIATED WITH OBTAINING MEDICAL AND EDUCATIONAL RECORDS, MEETING TIME, ETC. PARENT/CHILD'S INSURANCE WILL NOT PAY ANY FEES FOR FORMS TO BE COMPLETED, MEETINGS/PHONE CALLS WITH DOCTOR, ETC. DOCTORS SHOULD NOT COMPLETE THIS REQUEST UNTIL DCPS HAS [AGREED] TO ASSUME ALL FEES ASSOCIATED WITH THEIR REQUESTS.

2.) PARENT MUST BE INCLUDED IN ALL COMMUNICATIONS ASSOCIATED WITH THIS REQUEST, INCLUDING ALL PHONE CALLS, MEETINGS, EMAILS. THERE ARE NO EXCEPTIONS FOR ANY REASON WHATSOEVER.

Exhibit P-22.

10. By email of October 23, 2025, DCPS' Counsel wrote Parent's Counsel that, *inter alia*, the two release authorizations Mother signed could not be accepted as Mother had "added numerous provisions, seeking to indemnify and financially obligate the District" and that these were not the forms/authorizations which DCPS had sent to Mother on October 9, 2025. DCPS' Counsel wrote that DCPS seeks a release to speak with Nonpublic School and Student's medical provider. DCPS' Counsel wrote that she attached the two release authorizations for which DCPS was seeking the parent's signature and that DCPS did not consent to or agree to added contract language or provisions on the forms. Exhibit R-22.

11. On November 3, 2025, LEA Representative wrote Mother by email, stating, *inter alia*, that DCPS could not accept the revised consent forms Mother sent with signature on October 15, 2025 and that on October 23, 2025, DCPS had provided

the forms again for the parents' signature, and had not yet received them. LEA Representative attached the forms again to her November 3, 2025 email. Exhibit R-23. Mother responded by email of November 3, 2025 that she was unsure why LEA Representative needed the consent forms resubmitted since "as you acknowledge you have had consent to move forward for weeks at this point." Exhibit R-23.

12. The only written "Consent for Initial Evaluation/Reevaluation" and "Medical Provider - School Information Release" forms, which Mother signed and sent to DCPS after the October 3, 2025 AED meeting, were the signed forms she sent on or about October 15, 2025, which included the written contingencies inserted by Mother. Testimony of Mother.

13. On November 24, 2025, Mother wrote LEA Representative by email that Student would be home (in Washington, D.C.) that week and available for the testing DCPS had requested. Mother wrote that she was also willing, herself, to arrange the testing DCPS would like, but that DCPS had not told her specifically which tests they would like. She wrote that Student was also available for virtual testing and Nonpublic School in North Carolina was also willing to allow someone to come in for testing. Mother wrote that whatever DCPS chose, she would like to schedule this testing as soon as possible because she wanted to get Student back into DCPS. Exhibit R-2.

14. LEA Representative responded by email to Mother on November 26, 2025 acknowledging Mother's notice of Student's availability for testing. In the email, LEA Representative stated that DCPS had sent 5+ provisions for the evaluation and release of

information for Student and that, as stated, DCPS could not accept a consent that had added typed provisions that obligated DCPS. LEA Representative requested that Mother sign the consent forms/release forms needed for DCPS to proceed and that “this should not include any typed provisions.” LEA Representative attached the consent forms to her email. On November 24, 2025, DCPS’ Counsel sent an email to Parent’s Counsel making the same points. Exhibit R-2.

15. DCPS has not proceeded with its special education eligibility determination for Student because the District needs current updated information to determine Student’s functioning in his/her current educational setting. Testimony of School Psychologist.

CONCLUSIONS OF LAW

Based upon the above Findings of Fact and argument of counsel, as well as this hearing officer’s own legal research, my Conclusions of Law are as follows:

Burden of Proof

As provided in the D.C. Special Education Student Rights Act of 2014, the party who filed for the due process hearing, DCPS in Case No. 2025-0204 and Mother in Case No. 2025-0212, shall bear the burden of production and the burden of persuasion, except that where there is a dispute – not applicable to these cases – about the appropriateness of the student’s IEP or placement, or of the program or placement proposed by the public agency. The burden of persuasion shall be met by a

preponderance of the evidence. *See* D.C. Code § 38-2571.03(6).

ANALYSIS

Case No. 2025-0204

Since October 2025, DCPS has sought the parents' written consent to conduct a special education reevaluation Student. On or about October 15, 2025, Mother signed and returned to DCPS the parental consent form, on which she had inserted several contingencies. DCPS repeatedly informed Mother that it could not proceed with Student's reevaluation with the consent contingencies inserted by the parent. In Case No. 2025-0204, DCPS seeks an order from the hearing officer that it may proceed with its reevaluation of Student, not subject to the contingencies inserted by the parent on the consent form.

Section 614(c)(3) of the IDEA, which is incorporated in 34 C.F.R. § 300.300(c), requires a public agency to obtain parental consent before conducting any tests needed for a reevaluation of a student with a disability. Mother contends that on or about October 15, 2025, she had provided written consent for DCPS to reevaluate Student. However, as noted, Mother inserted conditions to her consent – namely, (i) that DCPS would assume all costs associated with the reevaluation including fees charged by medical and other providers for responding to DCPS' requests for information²; (ii) the

² As part of its obligation to provide a *free* appropriate public education to a student with an IDEA disability, the local education agency must pay all costs associated with the agency's evaluation or reevaluation of the student. That would include charges by medical providers for providing records if requested by DCPS. *See* 34 C.F.R. §

parent must be included in all communications associated with the reevaluation request, including all phone calls, meetings and emails and (iii) Mother's consent was limited to academic testing in reading, mathematics and written expression. DCPS was not obliged to accept the express contingencies inserted by Mother on the consent form. *See, e.g., G.J. v. Muscogee Cnty. Sch. Dist.*, 668 F.3d 1258, 1264–65 (11th Cir. 2012) (Due to the number of conditions appended, parents had not provided consent for reevaluation to the school district.) In this case, the parent's second and third contingencies were particularly problematic because DCPS' evaluators must have the freedom to use their professional judgment when to include the parent in their evaluation communications and meetings. Also, DCPS' proposed reevaluation would not be limited to academic testing, but would include observations of Student, interviews with providers, teachers and parents, and behavioral rating scales to be completed by the parent, teacher, providers and Student. I conclude that due to the nature and extent of the conditions demanded by Mother, the parents effectively refused to provide consent for DCPS to reevaluate Student.

300.103(a) ("Each State may use whatever State, local, Federal, and private sources of support that are available in the State to meet the requirements of this part.") *Cf.* 5A DCMR § 3001.10 (The LEA shall not require any child to have a medical diagnosis or medical documentation, or obtain or utilize prescription medication as a condition of access to FAPE, or receipt of an evaluation or reevaluation. *Id.*)

The IDEA regulations, 34 C.F.R. § 300.300(c)(1)(ii)³, provide that if the parent refuses to consent to the reevaluation, the public agency may, but is not required to, pursue the reevaluation by using the consent override procedures described in 34 C.F.R. § 300.300(a)(3). However, the consent override provision is not permitted for students who are placed in a private school by their parents at their own expense. *See* 34 C.F.R. § 300.300(d)(4). Since on or about January 3, 2025, Student has been placed in a private school, Nonpublic School in North Carolina, at the parents' expense. Therefore, notwithstanding the parents' effectively withholding consent to reevaluate their son/daughter, DCPS may not use the consent override provision in 34 C.F.R. § 300.300(c)(1)(ii) to pursue a reevaluation of Student. DCPS' requested relief in Case No. 2025-0204 must be denied. But if the parents (or the adult student) want Student to receive special education under the IDEA, they are obliged to permit such testing.

³ Parental consent for reevaluations.

(1) Subject to paragraph (c)(2) of this section, each public agency—

(i) Must obtain informed parental consent, in accordance with § 300.300(a)(1), prior to conducting any reevaluation of a child with a disability.

(ii) If the parent refuses to consent to the reevaluation, the public agency may, but is not required to, pursue the reevaluation by using the consent override procedures described in paragraph (a)(3) of this section.

(iii) The public agency does not violate its obligation under § 300.111 and §§ 300.301 through 300.311 if it declines to pursue the evaluation or reevaluation.

34 C.F.R. § 300.300(c)

See, e.g., Gregory K. v. Longview Sch. Dist., 811 F.2d 1307, 1315 (9th Cir. 1987).

Case No. 2025-0212

In Case No. 2025-0212, Mother alleges that DCPS has denied Student a FAPE by refusing to review the March 2025 Independent Neuropsychological evaluation report concerning Student, which the parent provided to DCPS in June 2025, and by failing to convene an IEP team meeting to consider the independent evaluation report and develop an appropriate revised IEP for Student. The IDEA regulations provide that the local education agency (LEA) must ensure that the child's IEP team reviews the child's IEP periodically and revises the IEP, as appropriate, to address, among other things, information about the child provided by the parents. *See* 34 C.F.R. § 300.324(b). *See, also*, 34 C.F.R. § 300.502(c) (If the parent shares with the LEA an evaluation obtained at private expense, the results of the evaluation must be considered by the agency.)

In this case, DCPS did not refuse to review or consider the Independent Neuropsychological report. The report was apparently provided to DCPS over the 2025 summer break. DCPS attempted to schedule an AED meeting to review data for Student on the first day of the 2025-2026 school year. When the parents were unavailable on that date, DCPS scheduled the AED meeting for October 3, 2025. At the October 3, 2025 AED meeting, the Independent Neuropsychological report was discussed, but the DCPS representatives, including School Psychologist, decided that the Independent Neuropsychological was missing several key components needed to determine Student's continued IDEA eligibility and service planning, including updated cognitive measures,

updated/current academic achievement measures, comprehensive school-based data, a classroom observation, behavior rating scales and interviews. At the AED meeting, DCPS sought the parents' consent to conduct a reevaluation of Student, as discussed in the preceding section.

DCPS was not obliged to consider the Independent Neuropsychological without conducting its own reevaluation of Student. While an education agency must consider an independent educational evaluation obtained by the parents, the parents must allow the agency itself to reevaluate the student, and they cannot require the school to rely solely on the independent evaluation. *See e.g., Gregory K., supra*, 811 F.2d at 1315. The evidence established that DCPS' decision at the October 3, 2025 AED meeting to obtain additional information on Student's academic and behavioral needs was warranted. Specifically, School Psychologist testified credibly that the Independent Neuropsychological evaluation was missing academic data, teacher input and parent input on Student's behavior, as well as a classroom observation or anything to indicate how Student was functioning in the classroom at Nonpublic School. *See Department of Education, Assistance to States for the Education of Children with Disabilities*, 71 Fed. Reg. 46540 at -676 (August 14, 2006). (The IDEA requires that in reviewing an IEP, the IEP team must identify what additional data, if any, are needed to determine whether any additions or modifications to the special education and related services are needed. 20 U.S.C. § 1414(c)(1)(B)(iv).) I find that it was appropriate for DCPS to consider the Independent Neuropsychological as part of its own reevaluation of Student.

I conclude that Mother did not meet her burden of persuasion in Case No. 2025-0212 that DCPS denied Student a FAPE by refusing to review the Independent Neuropsychological report or acted inappropriately in attempting to conduct a reevaluation of Student before convening an IEP team meeting to consider the independent evaluation report and update Student's DCPS IEP. However, I will dismiss Case No. 2025-0212 without prejudice because DCPS still must consider the Independent Neuropsychological if and when it obtains informed parental consent to conduct its reevaluation of Student, and convenes Student's IEP team to review the information, including the Independent Neuropsychological, and revise Student's IEP, as appropriate.

ORDER

Based upon the above Findings of Fact and Conclusions of Law, it is hereby ORDERED:

1. Case No. 2025-0204 is dismissed with prejudice.
2. Case No. 2025-0212 is dismissed without prejudice.

All relief requested by the parties in the respective cases is denied.

February 10, 2026

s/ Peter B. Vaden
Peter B. Vaden, Hearing Officer

NOTICE OF RIGHT TO APPEAL

This is the final administrative decision in this matter. Any party aggrieved by this Hearing Officer Determination may bring a civil action in any state court of competent jurisdiction or in a District Court of the United States without regard to the amount in controversy within ninety (90) days from the date of the Hearing Officer Determination in accordance with 20 U.S.C. § 1415(i).

cc: Counsel of Record
Office of Dispute Resolution