

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

STUDENT, an adult student)	Date Issued: July 14, 2025
by PARENT, Attorney-in-Fact, ¹)	
)	Hearing Officer: Peter B. Vaden
Petitioner,)	
v.)	Case No: 2025-0080
)	
DISTRICT OF COLUMBIA)	Online Videoconference Hearing
PUBLIC SCHOOLS,)	
)	Hearing Dates: July 10 and 11, 2025
Respondent.)	

HEARING OFFICER DETERMINATION

INTRODUCTION AND PROCEDURAL HISTORY

This matter came to be heard upon the Administrative Due Process Complaint Notice filed by the Petitioner Student, by his/her parent (Mother), Attorney-in-Fact, under the Individuals with Disabilities Education Act, as 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 this administrative due process proceeding, the Student seeks compensatory education and other relief from Respondent District of Columbia Public Schools (DCPS) on the grounds that DCPS allegedly failed to offer Student appropriate Individualized Education Programs (IEPs) in the 2023-2024 and 2024-2025 school years and failed to implement the IEP transition plans.

Petitioner’s Due Process Complaint, filed on May 5, 2025, named DCPS as Respondent. The undersigned hearing officer was appointed on May 6, 2025. The parties met for a Resolution Session Meeting on May 27, 2025 and did not resolve the

¹ Personal identification information is provided in Appendix A.

issues in dispute. On June 3, 2025, I convened a telephone prehearing conference with counsel to discuss the issues to be determined, the hearing date and other matters. The final decision due date in this case is July 19, 2025.

With the Petitioner's consent, the due process hearing was held online and recorded by the hearing officer, using the Microsoft Teams videoconference platform. Mother and Student appeared online for the hearing and were represented by PETITIONER'S COUNSEL. Respondent DCPS was represented by DCPS' COUNSEL. Petitioner's Counsel made an opening statement.

Mother and Student both testified and called EDUCATIONAL ADVOCATE as an additional witness. DCPS called as witnesses NAF MANAGER and SI DIRECTOR. Petitioner's Exhibits P-1 through P-18 were admitted into evidence without objection. DCPS' Exhibits R-1 through R-9, R-11, R-19, R-20, R-23, R-24, R-25, R-28 through R-32, R-35 through R-40, R-44, R-49 through R-54, R-57 and R-58 were all admitted into evidence without objection. The remaining exhibits, disclosed by DCPS prior to the hearing, were not offered. After the close of all of the evidence, Petitioner's Counsel and DCPS' Counsel made oral closing arguments. There was no request to file written closings.

JURISDICTION

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

ISSUES AND RELIEF SOUGHT

The issues raised by Petitioner against DCPS are as follows:

A. Whether DCPS denied Student a FAPE by failing to propose appropriate IEPs and placements/locations of services in the January 27, 2023 IEP and the January 24, 2024 IEP, as amended on March 19, 2024, and the January 23, 2025 IEP, because the student did not receive workforce development programming at CITY SCHOOL 2 until November 25, 2024; because none of the IEPs included attendance goals or dedicated supports to specifically address Student's attendance-related issues; and because the January 23, 2025 IEP inappropriately reduced direct speech-language pathology supports from 60 minutes to 30 minutes per month.

B. Whether DCPS denied Student a FAPE by failing to implement the Student's IEPs during the 2023-2024 and 2024-2025 school years by failing to implement Student's transition plan with fidelity at CITY SCHOOL 1.

For relief, the Petitioner requests that the hearing officer order DCPS as follows:

DCPS should be ordered to fund compensatory education for Student and related transportation expenses for the denials of FAPE alleged; DCPS shall ensure that compensatory education providers are paid in a timely manner; DCPS shall provide Student with additional speech-language pathology supports.

FINDINGS OF FACT

After considering all of the evidence received at the due process hearing in the matter, as well as the argument of counsel, my findings of fact are as follows:

1. Student, an AGE adult, resides with Mother in the District of Columbia.

Testimony of Mother.

2. Student is eligible for special education as a student having Autism.

Exhibit P-15. In a January 2023 DCPS psychological triennial evaluation, significant levels of Autism-associated behaviors for Student were observed by the reporting teacher in Restricted/Repetitive Behaviors, Social Interaction, Social Communication,

Emotional Responses, Cognitive Style and Maladaptive Speech. Exhibit P-8.

3. In September 2022, Student took the Moby Max (MM) Math Assessment scoring an overall Grade 1.8 math efficiency which was years below grade level. On the Moby Max Foundational Reading Assessment, his/her overall grade level equivalence in reading was 2.4, which was also years below grade level. Exhibit P-9. In September 2023, Student's MM Reading Assessment scores reflected an overall grade level equivalence in reading of 1.1 which, again, years below grade level. Exhibit R-40.

4. In the 2022-2023, 2023-2024 and 2024-2025 school years, until late November 2024, Student was enrolled in City School 1, a DCPS public school. On or about November 25, 2024, Student transferred to City School 2, another DCPS public school, where he/she was enrolled in GRADE. Testimony of SI Director.

5. Class grade levels for students earning an IEP Certificate of Completion, that is, not earning a high school diploma, are C1 for 1st year high school, C2 for 2nd year high school, etc. Students in level C5 and higher may have completed their credit unit requirements for the Certificate requirement and elected to continue in school.

Testimony of NAF Manager.

6. In the 2022-2023 school year, Student was enrolled in City School 1 in the Communications Education Supports (CES) program. Student's January 27, 2023 City School 1 IEP provided annual goals for Mathematics, Reading, Written Expression, Communication/Speech and Language, Emotional/Social/Behavioral Development and Motor Skills/Physical Development. The IEP provided for Student to receive 25 hours

per week of Specialized Instruction outside general education and Related Services including 60 minutes per month of Occupational Therapy (OT), 90 minutes per month of Behavioral Support Services and 60 minutes per month of Speech-Language Pathology (SLP), all outside general education. The IEP also provided for 30 minutes per month of SLP consultation services. Exhibit P-9.

7. The Post-Secondary Transition Plan in the January 27, 2023 IEP provided, *inter alia*, that as a measurable annual transition goal, Student would research the entrance requirements and apply for at least one workforce development program. Exhibit P-9. As of November 3, 2023, Student had made no progress on that goal. On Student's IEP progress report, it was reported that Student had over 15 unexcused absences which had negatively impacted progress in achieving that goal. Exhibit P-12.

8. Student's IEP was updated at an Annual Review on January 24, 2024. The January 24, 2024 IEP provided annual goals for Mathematics, Reading, Written Expression, Communication/Speech and Language, Emotional/Social/Behavioral Development and Motor Skills/Physical Development. The January 24, 2024 IEP omitted, apparently erroneously, any Special Education and Related Services. The Post-Secondary Transition Plan in the January 24, 2024 IEP provided, *inter alia*, that upon graduation, Student would attend a training program that offered cosmetology and as an annual transition goal and Student would research the entrance requirements for acceptance into at least 2 work force development programs that offered cosmetology. Exhibit R-35.

9. The January 24, 2024 IEP was amended, without a meeting, on March 19, 2024 to provide for Student to receive 25 hours per week of Specialized Instruction outside general education and Related Services including 1 hour per month of Behavioral Support Services, 1 hour per month of Speech-Language Pathology (SLP) and 30 minutes per month of OT, all outside general education. The revised IEP also provided for 30 minutes per month of OT consultation services. Exhibit P-12.

10. The Post-Secondary Transition Plan in the March 19, 2024 amended IEP provided, *inter alia*, that as a measurable goal, upon graduation Student would find a part time job or internship and, by the end of the IEP year, create a personal resume. Exhibit P-12. It was reported in a DCPS progress report that as of June 7, 2024, Student had successfully applied for and interviewed for the City School 2 Workforce development. Exhibit P-14.

11. In the spring of 2024, NAF Manager met with EXCEPTIONAL EDUCATION TEACHER regarding Student's entering the NAF program at City School 2. The NAF program offers career-focused curricula and work-based learning in the hospitality and tourism fields. After the meeting, no one from City School 1 followed up until October 15, 2024, when Exceptional Education Teacher wrote to ask if Student could still be considered for the program. After the parent completed an application, Student was accepted to the NAF program on November 21, 2024. Student transferred to City School 2 and started in the NAF program on November 25, 2024. Since joining

the NAF program, Student has participated in some 46 career awareness and work exploration activities and has thrived in the program. Testimony of NAF Manager.

12. At an IEP annual review meeting at City School 2 on January 23, 2025, the City School 2 IEP team, including Mother's representatives Petitioner's Counsel and Educational Advocate updated Student's IEP. The January 24, 2025 IEP provided annual goals for Mathematics, Reading, Written Expression, Communication/Speech and Language, Emotional/Social/Behavioral Development and Motor Skills/Physical Development. The January 24, 2025 IEP provided for Student to receive 31.87 hours per week of Specialized Instruction outside general education and Related Services including 1½ hours per month of Behavioral Support Services, 30 minutes per month of Speech-Language Pathology (SLP) and 30 minutes per month of OT, all outside general education. The revised IEP also provided for 30 minutes per month, each, for OT and SLP consultation services. Exhibit P-15.

13. In a January 27, 2025 IEP Progress Report the City School 2 speech-language pathologist wrote that Student had made a "seamless transition" and was "progressing nicely in [his/her] NAF Academy classroom," and that while he/she still required occasional encouragement to engage in informal conversation and to elaborate verbally during structured and unstructured tasks, Student was able to answer questions to make inferences and predictions with 75% to 80% accuracy and he/she had embraced interacting with his/her classmates and the members of the morning announcements AV team. Exhibit R-50.

14. Student's attendance at City School 1 was reported to be a challenge beginning with his/her November 3, 2023 progress reports. Student's school absences were reported to affect his/her progress in Reading, Written Expression, Communication/ Speech and Language and Secondary Transition. Exhibits P-11, R-38, R-39. Exceptional Education Teacher informed NAF Manager in fall 2024 that Student's attendance issues were resolved. Testimony of NAF Manager. In a November 4, 2024 DCPS progress report, Student was reported to be coming to school more consistently. Exhibit R-44.

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, the parent in this case, shall bear the burden of production and the burden of persuasion, except that where there is a dispute about the appropriateness of the child's IEP or placement, or of the program or placement proposed by the public agency, the public agency shall hold the burden of persuasion on the appropriateness of the existing or proposed program or placement; provided, that the party requesting the due process hearing shall retain the burden of production and shall establish a *prima facie* case before the burden of persuasion falls on the public agency. In this case, the Mother holds the burden of persuasion, which must be met by

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

ANALYSIS

A. Did DCPS deny Student a FAPE by failing to propose appropriate IEPs and placements/locations of services in the January 27, 2023 IEP, the January 24, 2024 IEP as amended on March 19, 2024, and the January 23, 2025 IEP, because the student did not receive workforce development programming at City School 2 until November 25, 2024; because none of the IEPs included attendance goals or dedicated supports to specifically address Student's attendance-related issues; and because the January 23, 2025 IEP inappropriately reduced direct speech-language pathology supports from 60 minutes to 30 minutes per month.

DCPS is required to make available special education and related services to a child with a disability who has not earned a regular high school diploma, until the end of the school year in which the child turns twenty-two (22) years old. *See* 5-A DCMR § 3028.4. In the 2022-2023 school year, Student, who has an Autism disability, was on the Certificate track at City School 1. After the 2022-2023 school year, Student or Mother elected for Student to continue in the CES program at City School 1 for the 2023-2024 and 2024-2025 school years. In late November 2024, Student applied for and was admitted to the NAF program at City School 2, a career-focused and work-based learning program, where Student has thrived. Petitioner's principal complaint in this case appears to be that DCPS did not place Student at City School 2 at the start of the 2024-2025 school year. Petitioner also contends that Student's IEPs were inadequate for want of attendance goals and supports and because the January 23, 2025 IEP reduced Student's direct speech-language pathology services from 60 minutes to 30 minutes per month.

In *Middleton v. District of Columbia*, 312 F. Supp. 3d 113 (D.D.C. 2018), U.S.

District Judge Rudolph Contreras explained how a court or a hearing officer must assess an IEP:

In reviewing a challenge under the IDEA, courts conduct a two-part inquiry: “First, has the State complied with the procedures set forth in the Act? And second, is the individualized educational program developed through the Act’s procedures reasonably calculated to enable the child to receive educational benefits?” *Bd. of Educ. of Hendrick Hudson Cent. Sch. Dist. v. Rowley*, 458 U.S. 176, 206–07, 102 S.Ct. 3034, 73 L.Ed.2d 690 (1982) (footnotes omitted).

Middleton at 128. In this case, Petitioner has not alleged any procedural violations with respect to Student’s IEPs. Therefore, I turn to the second prong of the *Rowley* inquiry.

Were the January 27, 2023 IEP, the January 24, 2024 IEP (as amended) and the January 23, 2025 IEP “reasonably calculated to enable [Student] to make progress appropriate in light of the child’s circumstances”? See *Andrew F. ex rel. Joseph F. v. Douglas Cnty. Sch. Dist. RE-1*, 580 U.S. 386, 399, 137 S. Ct. 988, 999, 197 L. Ed. 2d 335 (2017).

In *A.D. v. Dist. of Columbia*, No. 20-CV-2765 (BAH), 2022 WL 683570, (D.D.C. Mar. 8, 2022), U.S. District Judge Beryl Howell explained the IDEA’s IEP requirement:

A “free and appropriate public education,” or “FAPE,” is delivered by local education authorities through a uniquely tailored “‘individualized education program,’ “ or “IEP.” *Andrew F. ex rel. Joseph F. v. Douglas Cty. Sch. Dist.*, 137 S. Ct. 988, 993-994 (2017); see also 20 U.S.C. §§ 1401(9)(D), 1412(a)(1). To be IDEA-compliant, an IEP must reflect “careful consideration of the child’s individual circumstances” and be “reasonably calculated to enable the child to receive educational benefits,” *Andrew F.*, 137 S. Ct. at 994, 996 (cleaned up), “even as it stops short of requiring public schools to provide the best possible education for the individual child,” *Z.B. v. District of Columbia*, 888 F.3d 515, 519 (D.C. Cir. 2018). . . . An IEP failing to satisfy these statutory directives may be remedied through an IDEA claim to the extent the IEP “denies the child an

appropriate education.” *Z.B.*, 888 F.3d at 519.

A.D., 2022 WL 683570 at *1. “[A]n IEP’s adequacy thus ‘turns on the unique circumstances of the child for whom it was created,’ and a reviewing court should defer to school authorities when they ‘offer a cogent and responsive explanation’ showing that an IEP ‘is reasonably calculated to enable the child to make progress appropriate in light of [her] circumstances.’” *A.D.* at *7, quoting *Endrew F.*, *supra*, 137 S. Ct. at 1001-02.

Before transitioning to the NAF program at City School 2 on November 25, 2024, Student was placed in the full-time CES program at City School 1. Petitioner’s expert, Educational Advocate, opined in her testimony that DCPS’ failure to provide Student a workforce development program from the start of the 2024-2025 school year was a denial of FAPE.

From the limited evidence at the hearing, it appears that in the 2023-2024 school year, Student was participating in an internship at City School 1. In the program, Student successfully created a resume, successfully applied to the City School 2 workforce development program and was “noted to be independent in initiating and completing Rambler cafe tasks of taking orders the day before and then on the day of by gathering and delivering orders and collecting payments.” Student testified that he/she “worked” at City School 1 serving coffee, tea and doughnuts at breakfast.

While City School 2 may offer a stronger vocational program for Student, that does not mean that the IEP placement at City School 1 was inappropriate. *See Z.B. v. District of Columbia*, *supra*, 888 F.3d at 519. (IDEA “stops short of requiring public

schools to provide the best possible education for the individual child.”) Educational Advocate never met Student and she did not observe him/her in the program at City School 1. I did not find Educational Advocate’s opinion persuasive that Student’s educational placement at City School 1 was not appropriate.

Educational Advocate also opined that the City School 1 IEPs were inadequate for Student because they did not include attendance goals or dedicated supports to address Student’s attendance challenges. At the time of the January 27, 2023 IEP team meeting, Student had accrued 9 unexcused absences for the school year. Student was reported to be on the Honor Roll for the first term and the evidence did not establish that this level of absences deterred Student from making appropriate education progress.

In the following, 2023-2024 school year, Student had accrued 20 absences by the time of the January 24, 2024 IEP team meeting and the IEP progress reports from that spring indicated that his/her absences had an impact on his/her progress. Educational Advocate opined that Student’s January 24, 2024 IEP and March 19, 2024 IEP amendment should have provided accommodations or supports to address Student’s attendance challenges. I agree. A child with a disability who does not attend school cannot be expected to make educational progress and it is the duty of the IEP team to provide special education and related services directed to improving attendance, where the child’s nonattendance is related to his/her disability. *See, e.g., Springfield Sch. Comm. v. Doe*, 623 F. Supp. 2d 150, 161 (D. Mass. 2009). (IEP Team needs to consider whether school truancy is related to a student’s disability and, if it is, address it through

the IEP.)

Based on the information available to Student's IEP teams about the impact of Student's absences on his/her educational progress, the IEP teams should have provided services directed to improving his/her progress. *See, e.g., S.S. ex rel. Shank v. Howard Rd. Academy*, 585 F.Supp.2d 56 (D.D.C.2008) (“[The measure and adequacy of an IEP can only be determined as of the time it is offered to the student.” *Id.* at 66.) I conclude that DCPS did not offer a cogent and responsive explanation for why the 2024 IEP teams did not address Student's absences in his/her IEPs and I find that this failing was a denial of FAPE. However, even before Student matriculated to the NAF program at City School 2 in November 2024, his/her attendance issue was reported to be resolved. At City School 2, Student's attendance was “pretty good”, especially after NAF Manager spoke to Student about the importance of being on time.

In her compensatory education proposal, Educational Advocate recommended that Student be awarded 20 hours of compensatory education Behavioral Support Services to address Student's attendance issues. “If a hearing officer concludes that the school district denied a student a FAPE, he has ‘broad discretion to fashion an appropriate remedy,’ which may include compensatory education. *See B.D. v. District of Columbia*, 817 F.3d 792, 800 (D.C. Cir. 2016).” *Butler v. District of Columbia*, Case No. 16-cv-01033 (D.D.C. Aug. 14, 2017). In this case, by all accounts Student has good attendance at City School 2 and he/she is thriving in the program. His/her January 23, 2025 IEP already provides for 90 minutes per month of Behavioral Support Services. I

find that awarding Student additional Behavioral Support Services as compensatory education would serve no purpose, except to sanction DCPS for not addressing Student's school attendance in his/her 2024 IEPs. "The purpose of compensatory education is not to punish school districts for failing to follow the established procedures for providing a free appropriate public education, but to compensate students with disabilities who have not received an appropriate education." *C.W. ex rel. Louise W. v. The Rose Tree Media Sch. Dist.*, 395 F. App'x 824, 828 (3d Cir. 2010). In my discretion, I decline to award Student compensatory education Behavioral Support Services.

Lastly, Educational Advocate opined that a reduction in Student's direct speech-language pathology services in the January 23, 2025 IEP, from 60 minutes to 30 minutes per month, was inappropriate. That change was made on the recommendation of the speech-language pathologist (SLP) at City School 2. The SLP wrote on Student's January 27, 2025 IEP Progress Report that Student had made a "seamless transition" and was "progressing nicely in [his/her] NAF Academy classroom," and that while he/she still required occasional encouragement to engage in informal conversation and to elaborate verbally during structured and unstructured tasks, Student was able to answer questions to make inferences and predictions with 75% to 80% accuracy and he/she had embraced interacting with his/her classmates and the members of the morning announcements AV team. City School 2's SI Director testified that the January 23, 2025 IEP team deferred to the school's SLP and he did not recall any objection to reducing Student's direct speech-language services. He noted that while the IEP team reduced Student's direct SLP services by 30 minutes per month, it added 30 minutes per

month of IEP consultation SLP services.

With regard to what speech-language pathology services were appropriate for Student in January 2024, I find it proper to defer to the decision of the January 23, 2025 IEP team, which was informed by the guidance of the City School 2 speech-language professional. *See, e.g., T.T. v. District of Columbia*, 2007 WL 2111032, 9 (D.D.C. 2007) (DCPS personnel had special education expertise requiring deference.) Educational Advocate did not qualify as a speech-language expert and, as noted, never met Student. I found her opinion that Student continued to need 60 minutes per month of direct SLP services unpersuasive.

B. Did DCPS deny Student a FAPE by failing to implement the Student's IEPs during the 2023-2024 and 2024-2025 school years by failing to implement Student's transition plan with fidelity at City School 1.

Petitioner contends that DCPS failed to ensure that aspects of Student's IEP transition plans were not fully implemented by City School 1 during the 2023-2024 and 2024-2025 school years. Specifically, Educational Advocate wrote in her compensatory education proposal (Exhibit P-18) that even though Student's post-secondary planning goals required him/her to explore at least two programs, the record "suggests" that DCPS did not provide any additional support on this goal until after Student had applied to the work force program at City School 2 in spring 2024.

U.S. District Judge Rudolph Contreras explained in *Middleton v. District of Columbia*, 312 F. Supp. 3d 113 (D.D.C. 2018), that a material failure to implement substantial or significant provisions of a child's IEP may constitute a denial of FAPE.

A school district "must ensure that . . . special education and related

services are made available to the child in accordance with the child's IEP." 34 C.F.R. § 300.323(c)(2). A material failure to implement a student's IEP constitutes a denial of a FAPE. *Johnson v. District of Columbia*, 962 F.Supp.2d 263, 268–69 (D.D.C. 2013). To meet its burden, the moving party "must demonstrate that the school board or other authorities failed to implement substantial or significant provisions of the IEP." *Beckwith v. District of Columbia*, 208 F.Supp.3d 34, 49 (D.D.C. 2016) (quoting *Hous. Indep. Sch. Dist. v. Bobby R.*, 200 F.3d 341, 349 (5th Cir. 2000)). "Generally, in analyzing whether a student was deprived of an educational benefit, 'courts . . . have focused on the proportion of services mandated to those actually provided, and the goal and import (as articulated in the IEP) of the specific service that was withheld.' " *Id.* (quoting *Wilson v. District of Columbia*, 770 F. Supp. 2d 270, 275 (D.D.C. 2011)).

Middleton at 144.

I found Educational Advocate's opinion on DCPS' implementation of post-secondary planning goals not credible. The annual transition goal in the Post-Secondary Transition Plan in the January 24, 2024 and March 19, 2024 IEPs was for Student to research the entrance requirements for acceptance into at least 2 work force development programs "that offer cosmetology." There was no evidence at the hearing about why Student did not pursue his/her cosmetology goals. However, neither Mother nor Student testified that City School 1 failed to implement the IEP annual transition goal. It appears that Student was in an internship program at City School 1 and that he/she created a resume and successfully applied to the City School 2 workforce development program.

Student did not enroll in the workforce program at City School 2 at the start of the 2024-2025 school year and the hearing evidence did not establish why that did not occur. However, by mid-October 2024, Exceptional Education Teacher requested

Student's admission to the NAF program at City School 2 and Student was able to join the program on November 25, 2024. NAF Manager testified that based on Student's participation in the program and an internship project, she did not get the impression that Student was behind or lost any instruction. On this evidence, I find that Petitioner has not met her burden of persuasion that DCPS failed to implement substantial or significant provisions of Student's IEPs by failing to implement Student's transition plan with fidelity at City School 1.

In summary, I conclude that, except for the City School 1 IEP teams' failure to address Student's attendance in the January and March 2024 IEPs, DCPS met its burden of persuasion that the IEPs developed for Student, beginning January 27, 2023 at City School 1 through the January 23, 2025 IEP at City School 2, were reasonably calculated to enable Student to make appropriate progress. Because Student's school attendance problems are already resolved, I decline to award compensatory education for the omission of behavioral services or support to promote school attendance in Student's IEPs. I also find that Petitioner did not meet her burden of persuasion that DCPS failed to implement substantial or significant provisions of the IEPs at issue.

ORDER

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

All relief requested by the Petitioner herein is denied.

Date: July 14, 2025

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