

**THREE MEMBER DUE PROCESS HEARING PANEL  
EMPOWERED PURSUANT TO §162.961 R.S.MO.  
HEARING DECISION**

Student's Name:

Parents' Name:

Parents were not present and not represented by an attorney

Local Education Agency (LEA): Montgomery County R-II School District

Attorney for LEA: Teri B. Goldman

Address: 36 Four Seasons Center #337  
Chesterfield, MO 63017

Telephone: (314) 628-9755

Hearing Dates: August 2, 2007

Time Line: Complaint received by DESE May 4, 2007

Decision extended until September 15, 2007 (see attached decision for explanation of timeline)

Date of Report: September 15, 2007

Hearing Officers:

Samara N. Klein, Chairperson

Dr. Sandra Brooks Scott, Panel Member

Dr. Patty Smith, Panel Member

**BEFORE THE THREE MEMBER DUE PROCESS PANEL**  
**EMPOWERED BY THE MISSOURI STATE BOARD OF EDUCATION**

In the matter of

Montgomery Co. R-II School District

Petitioner

v.

Respondent

**DECISION**

This is the final decision of the hearing panel in an impartial due process hearing pursuant to the Individuals with Disabilities Education Act ( IDEA) 20 U.S.C. §1415(f) (2004) and Missouri law §162.961.3 RSMO.

**STATEMENT OF ISSUES**

The Montgomery County R-II School District initiated this proceeding in response to a request by parents for an independent educational evaluation of at public expense. The school district then requested a due process hearing on the following issue: whether the school district's reevaluation dated April 19, 2007 was appropriate, thus not entitling the parents to an independent educational evaluation at the public's expense.

## **TIMELINE FOR THE HEARING/BRIEF PROCEDURAL OVERVIEW**

The Complaint was brought by the Montgomery County R-II School District. The child, who is the subject of this hearing, is a boy, who at the time the hearing was between first and second grade. The School District asked for a due process hearing in a letter dated May 3, 2007 that was received by DESE on May 4, 2007. The School District asked for an extension in a letter dated May 28, 2007, including the dates of August 2<sup>nd</sup> and August 3<sup>rd</sup> for the actual hearing. The parents requested an extension through the month of August in an email sent May 30, 2007 without further clarification. A continuance was originally granted until August 31, 2007 for the final decision. After the parents' request for a continuance on May 30, 2007, the parents were not heard from again until July 29, 2007 when they notified the Chief Hearing Officer that they would not be able to attend the hearing and clarified on July 30, 2007 that they were not asking for a continuance. Between May 30, 2007 and July 29, 2007 the parents did not respond to numerous emails, phone calls, or letters and pleadings sent through the U.S. mail, which included attempts to further illicit their input as to the time and place of the hearing. The parents did not attend the hearing, did not have counsel present at the hearing, and did not submit evidence. Approximately a week after the hearing, the School District filed a post-hearing brief and also filed a request for an extension until the date of September 15, 2007 to give the panel time to review all of the information.

## **FINDINGS OF FACTS**

1. This hearing involves a boy born on . Ex. P-17 at 96. He will be referred to as “the student” hereinafter. Both the rights of his biological mother and biological father were

terminated in June and September of 2003 respectively. Ex. P-17 at 96. It was reported by his adoptive mother (the Respondent to this complaint) that the mother abused both alcohol and drugs and that the student was in four foster homes during the first two years of his life and was hospitalized due to physical abuse at 18 months. Ex. P-17 at 96.

2. The only witness to testify at the hearing was Ms. Linda Witte, the Director of Special Education for the Montgomery County R-II School District and the representative of the Local Educational Agency. She testified on behalf of the Montgomery County R-II School District (School District or District). Tr. 11-231.

3. The student was placed as a foster child with the Respondents of this complaint at age two, and they adopted him in June of 2004. They will be referred to as “parents” hereinafter. Ex. P-17 at 96. He presently lives with the parents, a sister, and a brother, who resided in Boys Town in St. James, Missouri at the time the student was adopted. Ex. P-17 at 96.

4. During the 2002-03 and 2003-04 school years, the student attended Immaculate Conception Preschool. Ex. P-17 at 97. During the 2004-05 school year, he enrolled in the District’s Title I preschool. He attended the District’s Title I half-day program for only six days before he began attending a full-day program at the Head Start Center in New Florence, Missouri. Ex. P-17 at 97.

5. The student had initially been referred for an evaluation for special education in September of 2004 by his Head Start preschool program in New Florence for concerns in the areas of vision, social, emotional, and speech. Ex. P-1 at 1-2.

6. In response, the Montgomery County R-II School District completed an evaluation and found the student eligible under “sound system disorder.” Ex. P-3 at 19. There was no noted objection from the parents. Tr. 25-26. The student had an IEP date January 5, 2005. Ex. P-8 at 50-66; Tr. 29.

7. During the 2005-06 school year, the student attended kindergarten in the District’s elementary school. During the 2005-06 school year, the parents noted additional concerns regarding the student’s mental health to the School District. Ex. P-7 at 50; Tr. 36-39. In response to the parents’ noted concerns, the School District completed an assessment of the data, and concluded that no further evaluation was warranted. Tr. 37. Ms. Witte testified that in the initial 2004 assessment, the parents had noted that the student was well-adjusted and emotionally stable at home. Tr. 38. During the 2005 school year, the student’s older brother had returned home from a residential placement due to an assault on a teacher. The older child was physically and verbally abusive to the student and the student had to sleep on the couch for safety reasons. The parents believed that the older brother’s behavior was impacting the student. Tr. 37; Ex. P-17 at 125.

8. During the 2006-07 school year, the student attended first grade in the School District. On or about October 11, 2006, the School District received an oral request for an evaluation from the mother regarding the student's behavior at school. Ex. P-17 at 9; Tr. 45. In response, the School District conducted a review of existing data. Although some concerns with the student's behavior were noted, the School District also observed that the student's behavior was improving with the use of alternative strategies and that the student was progressing at his grade level academically; therefore, no evaluation was warranted. Ex. P-10 at 67; Tr. 49. The team also determined that the student was no longer eligible for special education services as a student with a sound system disorder. Ex. P-17; Ex. P-66; Ex. P-10.

9. Through staff observation, the following were also noted: the student had improved behaviorally during the year as compared to kindergarten Ex. P-14 at 86; he performed at or above a first grade level with respect to academics Ex. P-14 at 87; as of January 2007, the student was performing at least 6 months above his grade level in reading; and in addition to his rapidly improving reading skills, he was also doing well in all areas of academic performance. Ex. P-14 at 87.

10. On November 14, 2006, the District held a meeting to review the existing data. The mother could not attend due to emergency surgery, but was contacted by conference call. Ex. P-10 at 71. Ms. Witte testified, and the school records reflect that the mother agreed that the student no longer required services for a sound system disorder. Ex. P-17 at 97; Ex. P-10 at 71; Tr. 51. According to the District's records, the mother also agreed that

there was no need for further evaluation in any area and stated in the notes that with recent traumatic events in the home associated with the student's brother, it was a good idea to allow the student to adjust. Ex. P-17 at 97; Ex. P-10 at 71; Ex. P-14 at 87.

11. The District also thought the student was impacted by a home environment where both parents had extensive work schedules, the mother worked two jobs and the father often worked overtime. Tr. 64, 214; Ex. P-17 at 96.

12. On December 21, 2006, the mother requested an independent educational evaluation. Ex. P-11; Ex. P-17 at 98. On December 21, 2006, the School District refused the parents' request for an independent educational evaluation. Ex. P-11. The basis for the refusal was the fact that the District had not completed a reevaluation with assessment and wanted an opportunity to fully evaluate the student. Ex. P-11. The parents and District then agreed to review the existing data and meet to develop an evaluation plan. Ex. P-11; Tr. 72.

13. On January 18, 2007, there was a review of existing data with the general education teacher, the special education teacher, the school counselor, the Education Support Program (ESP) teacher, the Principal, the special education director, the LEA representative (Ms. Witte), two individuals who could interpret implications of evaluation reports, and the mother. At that meeting, all areas of possible disability were reviewed, but it was decided that the focus of the reevaluation would be Other Health Impaired, and Severe Emotional Disturbance. Tr. 71-93; Ex. P-14 at 77-89.

14. On February 16, 2007, the District provided the parents with a written notice of action proposing to conduct an evaluation to determine whether the student had a disability under the IDEA. Ex. P-15. The mother provided written consent to that evaluation on February 20, 2007. Ex. P-15. 12. On February 16, 2007, the District provided the parents with a written notice of action proposing to conduct an evaluation to determine whether the student had a disability under the IDEA. Ex. P-15. The mother provided written consent to that evaluation on February 20, 2007. Ex. P-15.

15. In early February of 2006, the District moved the student to the Education Support Classroom (ESP) for part of the day as part of its at risk program. That classroom was more structured and smaller in size and allowed for more intensive support in behavioral intervention. The District also arranged to have the student meet one on one with the counselor every day to receive more support in behavior at school. The District reported the student did better with this support. In March, the District changed the student's schedule to a half day program in the ESP classroom and counseling. Tr. 60-76; Ex. P-98, 125. The District reported that the student seemed to do well with this because he enjoyed having more time with his parents, particularly his father. Tr. 64. The District reported the plan was to move him back into a full-day program. Tr. 145.

16. As part of the evaluation the District administered the following formal assessments: the Behavioral Evaluation Scale—Third Edition Ex. P-17 at 116; the Scale for Assessing Emotional Disturbance, Ex. P-17 at 117-119; and the Differential Test of Conduct and Emotional Problems Ex. P17-1 at 120-121. Ms. Witte testified in depth as to how the



three tests helped the team to determine if the problem was a severe emotional disturbance or a conduct disorder. Tr. 118-129. Each rating scale was completed by the counselor, the classroom teacher, and the principal. Ex. P-17 at 116; Ex. P-17 at 117-119; Ex. P-17 at 120-121. The third test was given because of mixed results on the other two behavior ratings scales. Ex. P-17 at 131.

17. The School District also used the following observational methods and informal assessments: informal classroom observations by the classroom teacher Ex. P-17 at 123-124; informal behavioral functional behavioral assessment Ex. P-17 at 121-122; work completion data, with utilization of interventions in the ESP program by the ESP classroom teachers, and a detailed occupational therapy evaluation done by and occupational therapist based on observation in two settings. Ex. P-17 at 106-108.

18. As part of its reevaluation, the School District reviewed other information provided by the parents, including an evaluation which was inconclusive as to ADHD Ex. P-17 at 100; a script from a doctor listing medications and indicating the student had a diagnosis of ADHD and Reactive Attachment Disorder, Ex. P-17 at 100; and a fax from another Dr. indicating the student had ADHD. Ex. P-17 at 100.

19. Ms. Witte testified that although the staff accepted the diagnosis of ADHD, there had to be an adverse educational impact for him to qualify as “other health impaired.” The District testified that it did not believe ADHD had an adverse educational impact in the student’s education performance or in his relationship with his peers. Tr. 141. Ms. Witte

also testified that the team did not think the student required special education as necessary to be eligible for “other health impairment.” Tr. 142.

20. On or about March 22, 2007, the District provided the mother with a notification of a meeting to review the evaluation results on April 10, 2007. Ex. P-16 at 93. A second notice was provided to the parents on April 10, 2007, for a meeting to be held on April 20, 2007. Ex. P-16 at 94. At the request of the parents, and based on their schedule, a third notice was provided to the parents on April 11, 2007, for a meeting to be held on April 19, 2007. Ex. P-16 at 95.

21. On April 19, 2007, the District convened a multidisciplinary team to review the results of the evaluation. Ex. P-17. The following people attended the meeting: the student’s mother, the student’s regular classroom teacher, Linda Witte, the school counselor who was retiring, the present school counselor, the ESP classroom teacher, and the principal. Ex. P-17 at 133. After reviewing the results of the evaluation, the team concluded that the student did not qualify for special education or related services under any category of disability. Ex. P-17. The team also recommended that the student continue receiving instruction in social skills through the District’s Positive Behavior Supports program, counseling, and the alternative educational support program available to all students in the District. Ex. P-17.

22. On or about April 19, 2007, the District provided the parents with a notice of action proposing the student’s ineligibility for services under the IDEA. Ex. P-18.

23. On April 26, 2007, the parents wrote in a home communication notebook that they wanted their son tested by an “independent group” at the school’s expense. Ex. P-19 at 137.

24. The school district requested a due process hearing in response to this request to show that their reevaluation of the student was appropriate and that they therefore did not have to pay for an independent evaluation at public expense. Ex. P-22 at 156.

### **Conclusions of Law**

This case arises under the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. §1415 and §162.961 RSMO. Under IDEA, states and local districts receive federal financial assistance if they comply with IDEA’s procedures guaranteeing a reasonable probability of educational benefits and supportive services at public expense. *Hendrick Hudson Dist .Bd. of Education v. Rowley*, 458 U.S. 176, 188-189 ,73 L.Ed.2d 690, 102 S. Ct. 3034 (1982). Part of the process each school district must follow is “to ensure that a full and individual evaluation is conducted for each child being considered for special education and related services.” 34 C.F.R. §300.301. *See also* The Missouri State Plan for Implementing Part B of the IDEA (hereinafter Missouri State Plan) at 22. A school district must reevaluate each child “if conditions warrant a re-evaluation or if the child’s parent or teacher requests a re-evaluation, but at least once every three years.” 20 U.S.C. §1414(a)(2)(A). *See also* 34 C.F.R. 300.303(b).

IDEA provides for the right to an “independent educational evaluation” of a child at “public expense” in certain circumstances when parents disagree with a school district’s evaluation. 34 C.F.R. §300.502. When a school district is presented with a request by a parent for an independent educational evaluation (IEE), the school district must either pay for the evaluation or initiate a due process hearing to show that the evaluation is appropriate. 34 C.F.R. §300.502(b)(2). Even if the school district initiates a due process hearing and prevails, the parents may obtain an independent evaluation, but not at public expense. 34 C.F.R. §300.502(b)(3).

When addressing the issue of whether an evaluation is appropriate the courts and administrative panels have primarily focused on whether the evaluation meets the procedural requirements of 20 U.S.C. §1414(b). In this case, the student was being reevaluated for special education services. The procedures for evaluations are incorporated into the procedures for reevaluations. The procedures relevant to this case are §300.303 to §300.305. The procedures for reevaluations under 34 C.F.R. §300.303 are as follows:

§300.303 Reevaluations.

(a) General. A public agency must ensure that a reevaluation of each child with a disability is conducted in accordance with §§300.304 through 300.311—

(1) If the public agency determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or

(2) If the child’s parent or teacher requests a reevaluation.

(b) Limitation. A reevaluation conducted under paragraph (a) of this section—

(1) May occur not more than once a year, unless the parent and the public agency agree otherwise; and

(2) Must occur at least once every 3 years, unless the parent and the public agency agree that a reevaluation is unnecessary. 20 U.S.C. 1414(a)(2).

Because the School District did not ask for a hearing on the determination of eligibility §300.306 does not apply to this case. In addition, because the Student was not suspected of having a learning disability, the special procedures for learning disabilities under

§300.307 to §300.311 also do not apply. The relevant evaluation procedures that apply to this case are then as follows:

§300.304 Evaluation procedures.

(a) Notice. The public agency must provide notice to the parents of a child with a disability, in accordance with §300.503, that describes any evaluation procedures the agency proposes to conduct.

(b) Conduct of evaluation. In conducting the evaluation, the public agency must—

(1) Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist in determining—

(i) Whether the child is a child with a disability under § 300.8; and

(ii) The content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities);

(2) Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and

(3) Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

(c) Other evaluation procedures. Each public agency must ensure that—

(1) Assessments and other evaluation materials used to assess a child under this part—

(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;

(ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;

(iii) Are used for the purposes for which the assessments or measures are valid and reliable;

(iv) Are administered by trained and knowledgeable personnel; and

(v) Are administered in accordance with any instructions provided by the producer of the assessments.

(2) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

(3) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

(4) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;

(5) Assessments of children with disabilities who transfer from one public agency to another public agency in the same school year are coordinated with those children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with §300.301(d)(2) and (e), to ensure prompt completion of full evaluations.

6) In evaluating each child with a disability under §§ 300.304 through 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.

(7) Assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided.

§300.305 Additional requirements for evaluations and reevaluations.

(a) Review of existing evaluation data. As part of an initial evaluation (if appropriate) and as part of any reevaluation under this part, the IEP Team and other qualified professionals, as appropriate, must—

(1) Review existing evaluation data on the child, including—

(i) Evaluations and information provided by the parents of the child;

(ii) Current classroom-based, local, or State assessments, and classroom-based observations; and

(iii) Observations by teachers and related services providers; and

(2) On the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine—

(i)(A) Whether the child is a child with a disability, as defined in § 300.8, and the educational needs of the child; or (B) In case of a reevaluation of a child, whether the child continues to have such a disability, and the educational needs of the child;

(ii) The present levels of academic achievement and related developmental needs of the child;

(iii)(A) Whether the child needs special education and related services; or

(B) In the case of a reevaluation of a child, whether the child continues to need special education and related services; and

(iv) Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.

(b) Conduct of review. The group described in paragraph (a) of this section may conduct its review without a meeting.

(c) Source of data. The public agency must administer such assessments and other evaluations as may be needed to produce the data identified under paragraph (a) of the section

Under IDEA, each state must do no less than required under these federal statute and procedures, but they can choose to have additional requirements. In Missouri, the Missouri State Plan at pp.22-24 (evaluations) and p.27 (reevaluations) essentially mirrors

the federal requirements and does not include additional requirements. In then deciding whether an evaluation was “appropriate” courts and state administrative tribunals have focused primarily on whether the school district followed these procedures. *In Grapevine-Colleyville Independent School District v. Danielle R*, 31 IDELR 103 (N.D. Tex. 1999), the court disagreed with an administrative hearing officer who had declared an evaluation inappropriate even after concluding the District had followed the procedures set out in IDEA. The court found that the hearing officer had held the District to a higher standard than IDEA required in determining what was appropriate. Other courts have also focused on whether the district followed procedures under IDEA and their respective state laws, in determining if an evaluation is appropriate. *See e.g.*, *Judith S. v. Board of Education of Community School District No. 200*, 28 IDELR 728 (N.D. Ill.1980) and *Fallbrook Union Elementary School*, 29 IDELR 678 (Cal.1998).

Based on the record before us, there was a qualified, multidisciplinary team that conducted the evaluation. The evaluation was completed within the statutory timelines. Although the evaluation included information in all areas of possible disabilities, it included additional assessments in two areas of suspected disability: other health impaired and severe emotional disturbance. There was no evidence presented that any other area of disability was suspected by either the District or the parents or that the parents wanted the student evaluated in any other areas. There was a variety of informal and formal assessment tools and strategies used, and not merely those designed to meet a single general intelligence quotient. Based on the record, these instruments were technically sound and may be used to assess cognitive, behavioral, or physical factors that may be relevant. The District did not rely on any single measure or assessment. The

record did not reflect concerns of impaired sensory, manual, or speaking skills, and the types of additional assessments were not of the nature that they would have needed to be modified to address such concerns. The school district also gathered information about the student's ability to progress in the general curriculum. The family's home communication notebook with the school reflected that the family's native language seemed to be English or that they spoke English fluidly. Further, the student's school records indicated he was progressing in the regular curriculum and was doing well in reading.

As required under the regulations, the School District considered the information provided from outside sources. Based on the written record and the testimony of the witness provided by the School District, the parents were included in planning the evaluation and did not request any additional tests. There was a thorough review of existing data in the evaluation and described at the hearing. In conducting the evaluation, the District utilized an occupational therapist, the student's regular classroom teacher, the teacher in the ESP classroom—who used positive behavioral supports, the school counselor, the special education teacher, the director of special education, the mother of the student (both parents were asked to participate), the counselor and principal. Based on the testimony of Ms. Witte, the tests were administered by individuals who were qualified to conduct the exams and the tests were used according to the instructions for the purpose for which they were intended.

Although the evaluation included information in all areas of possible disabilities, it included additional assessments in the two areas of suspected disability: other health impaired and severe emotional disturbance. Although the issue of eligibility was not



before the panel, the right criteria must be considered under IDEA in the areas being evaluated. The evaluation procedures are linked to whether a student is a child with a disability under §300.8. In the areas of “severe emotional disturbance” IDEA defines it as follows:

Emotional disturbance means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child’s educational performance:

- A. an inability to learn that cannot be explained by intellectual, sensory, or health factors;
- B. an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- C. inappropriate types of behavior or feelings under normal circumstances;
- D. a general pervasive mood of unhappiness or depression; and,
- E. a tendency to develop physical symptoms or fears associated with personal or social problems.

Emotional disturbance includes schizophrenia, but does not apply to children who are socially maladjusted unless it is determined they have an emotional disturbance. §308(c)(4)

IDEA defines other health impaired as follows:

Other health impairment means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment that is due to chronic or acute health problems, such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette Syndrome, and adversely affects a child’s educational performance.

34 C.F.R. §300.8(c)(9)

The evaluation team used those definitions throughout the evaluation process. In considering whether the student was severely emotionally impaired, the School District believed that environmental factors and stress in the home contributed to the student’s

behavior at school. The evaluation exhibited that he could control his behavior and his outbursts were often responses to having to do things he didn't want to do. The School District thought that his behaviors could be accommodated in the general curriculum. Likewise, in following the definition of "other health-impaired," while the School District did not dispute the student had a diagnosis of ADHD, the School District did not believe that it had an adverse educational impact. The School District's occupational therapist did make recommendations for accommodations for the student in the general curriculum for sensory issues.

Under IDEA, if a School District receives a request for an Independent Evaluation it must either pay for the independent educational evaluation or immediately ask for a hearing to show its evaluation is appropriate. In this case, the School District received such a request and immediately asked for a hearing. That was the issue of this due process hearing. Based on the information before the panel, the panel unanimously finds that the School District met its burden of proof by the preponderance of evidence and demonstrated its evaluation was appropriate.

### **APPEAL PROCEDURE**

This is the final decision of the Department of Elementary and Secondary Education in this matter. A party has a right to request review of this decision pursuant to the Missouri Administrative Procedures Act, §§536.010 *et seq.* RSMo. A party also has a right to challenge this decision by filing a civil action in federal or state court pursuant to the IDEA. *See* 20 U.S.C. §1415(i).

Dated: September 15, 2007.

Samara N. Klein

Samara N. Klein  
Chairperson

Dr. Sandra Brooks Scott

Dr. Sandra Brooks Scott  
Panel Member

Dr. Patty Smith

Dr. Patty Smith  
Panel Member

Copies of this decision will be mailed to the parties on this date, by certified mail, return receipt