

# **Due Process Hearing Decision Summaries**

**FY1997-1998**

## **1. St. Louis City School District**

**issue:** Student eligibility. School District initiated due process hearing to override lack of consent to identification/placement.

**decision:** In favor of school district on issue of eligibility. However, initial placement of self-contained offered found not appropriate. Resource Placement offered.

**timeline:** Within 45 days.

## **2. Moberly School District**

**issue:** Transportation sought as a related service for student living within one mile of school.

**decision:** In favor of school district.

**timeline:** Extended properly. Approximately four months.

## **3. Special School District of St. Louis County/Parkway C-2 School District**

**issue:** a. Least restrictive environment - parent objected to change to self-contained.

Specific training for staff sought.

Hands-on methodology/positive behavior support sought.

Teacher assistant notation elimination.

**decision:** In favor of school districts.

**timeline:** Extended properly. Approximately two months.

## **4. Springfield R-XII School District**

**issue:** IEP appropriateness of services. Parents objected to "reverse mainstream" class

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for early childhood special education seeking a home-based program.

**decision:** In favor of school district

**timeline:** Extended properly. Approximately nine months.

### **5. Kansas City 33 School District**

**issue:** a. IEP appropriateness/reduction of services alleged.

b. Independent evaluation/failure of school district to respond to request.

**decision:** a. In favor of school district

In favor of parent; independent evaluation ordered.

**timeline:** Extended properly. Approximately three months.

### **6. Buchanan County R-IV School District**

**issue:** Least restrictive environment - parent seeking change of placement from SSSH to LEA.

**decision:** In favor of district; but student's integration activities should increase in the future working towards placement full time at LEA.

**timeline:** Extended properly. Approximately five months.

### **7. St. Louis City School District 2**

**issue:** Placement - Parent seeking private placement.

**decision:** Dismissed case. Issue moot due to school district's agreement to private placement.

**timeline:** Extended properly. Approximately three months.

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### **8. Special School District of St. Louis County 1**

**issue:** Transportation to and from day care outside of district boundaries.

**decision:** In favor of parent.

**timeline:** Timeline not extended properly. Approximately seven months.

### **9. Appleton City R-II School District**

**issue:** Evaluation, identification, and placement - reimbursement sought for private parochial school unilateral placement.

**decision:** Dismissed case. Parent had signed document declining district's offer of evaluation, etc. Parent can now exercise right to evaluation and move forward.

**timeline:** Extended properly. Approximately five months.

### **10. Rolla 31 School District**

**issue:** Section 504 allegations.

**decision:** Dismissed case. No IDEA claims involved; thus, no jurisdiction.

**timeline:** Extended properly. Approximately three months.

### **11. St. Louis City School District 3**

**issue:** School District initiated due process to override parent lack of consent for provision of services and finding of eligibility.

**decision:** In favor of school district. Student is eligible for special education services, and services are to be provided.

**timeline:** Extended properly. Approximately two months.

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### **12. Kingston K-14 School District**

**issue:** 1. Placement.

Related Services.

Staff qualifications (FAPE).

Discipline/Behavior Management.

Parent Participation in IEP meetings.

Consideration of Independent Evaluation.

Participation in extracurricular activities.

**decision:** 1. In favor of parent.

In favor of parent.

In favor of school district.

In favor of parent.

In favor of parent.

In favor of district.

No specific Findings.

**timeline:** Extended properly. Approximately 11 months.

### **13. Charleston School District**

**issue:** Eligibility - district found ineligible.

**decision:** In favor of school district.

**timeline:** Extended properly. Approximately seven months.

### **14. St. Louis City School District 4**

**issue:** Expedited due process hearing to challenge 45-day alternative educational placement for possession of a dangerous weapon.

**decision:** In favor of school district.

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**timeline:** 35 days.

### **15. Francis Howell R-III School District**

**issue:** Eligibility-district found no reason to suspect disability and thus no reason to evaluate.

**decision:** In favor of school district.

**timeline:** Extended properly. Approximately 18 months.

### **16. Central R-III School District**

**issue:** Discipline - student received less than ten days suspension cumulatively. Parent indicated unfair punishment.

**decision:** Dismissed case. No IDEA issue raised.

**timeline:** Extended properly. Approximately two months.

### **17. Springfield R-XII School District 2**

**issue:** IEP - Appropriate services. Parents had rejected offer of homebound services during injunction period.

**decision:** In favor of school district.

**timeline:** Extended properly. Approximately 4 months.

### **18. Perry County 32 School District**

**issue:** Placement - Reimbursement for unilateral private placement sought.

**decision:** In favor of parent.

**timeline:** Extended properly. Approximately 10 months.

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### **19. Springfield R-XII School District 3**

**issue:** a. Placement - Parent request for either self-contained placement or one-on-one aide in the regular classroom.

Independent educational evaluation reimbursement sought.  
FAPE - whether the IEP offers FAPE.

**decision:** In favor of school district on all issues.

**timeline:** Extended properly. Approximately seven months.

### **20. Columbia 93 School District**

**issue:** FAPE - parents seeking intensive programming/services based on Applied Behavior Analysis/Discrete Trial Training methodology of student with autism.

**decision:** In favor of school district on general issue of FAPE with finding against district on issue of failing to revise IEP to add 10 hours per week of one-on-one training to reflect school district's offer of FAPE.

**timeline:** Extended properly. Approximately seven months.

### **21. Camdenton R-III School District**

**issue:** a. FAPE - parents seeking reimbursement for private summer placement and tuition for placement in another school district.  
evaluation - parents seeking reimbursement for outside evaluation.  
procedural violations.

**decision:** a. In favor of school district except to the extent that partial funding of interim placement pending reevaluation.  
In favor of parent.

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In favor of parent to the extent inservice is ordered.

**timeline:** Extended properly, Approximately 9 months.

### **22. Special School District of St. Louis County 2**

**issue:** Placement - parents seeking reimbursement for private placement.

**decision:** In favor of parent in that panel found district did not prove FAPE had been provided; however, no specific reimbursement ordered because parent did not provide evidence of amount spent.

**timeline:** Extended properly. Approximately 13 months.

### **23. Special School District of St. Louis County 3**

**issue:** a. FAPE, LRE, appropriate teacher training and appropriate notice of change in placement for 1994-95 school year.

FAPE, LRE, appropriate teacher training, for 1995-96 school year.

FAPE, LRE, appropriate teacher training, for 1996-97 school year.

FAPE, LRE, teacher training, for 1997-98 school year.

**decision:** a. In favor of school district.

**timeline:** Extended properly. Case initiated prior to the due process system put in place on August 28, 1996. Case began in November of 1995. Decision approximately 33 months later.