

## 2024-25 Louisiana Special Education Due Process Hearing Dispositions

This document contains a copy of the decision or order that disposed of each Louisiana special education due process hearings filed on or between July 1, 2024, and June 30, 2025. Each case filed during the relevant timeframe is included in the informational table below. If a matter has been decided, the order or decision disposing of the matter will appear below. This document is updated at least monthly on the last business day of the month.

If you have any questions or concerns, please contact the Department at [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov).

LDOE Case Number	Public Agency	Disposition	Date of Disposition
45-H-01	Orleans Parish	Withdrawn	August 7, 2024
45-H-02	Caddo Parish	Withdrawn	August 9, 2024
45-H-03	Iberville Parish	Dismissed	August 15, 2024
45-H-04	Livingston Parish	Pending	--
45-H-05	East Baton Rouge Parish	Pending	--
45-H-06-E	DeSoto Parish	Withdrawn	September 19, 2024
45-H-07	Orleans Parish	Withdrawn	January 3, 2025
45-H-08	Terrebonne Parish	Withdrawn	October 30, 2024
45-H-09	Livingston Parish	Pending	--
45-H-10-E	Lafayette Parish	Withdrawn	February 7, 2025
45-H-11	Lincoln Parish	Pending	--
45-H-12	Lincoln Parish	Pending	--
45-H-13	Lincoln Parish	Pending	--
45-H-14	St. James Parish	Dismissed	January 31, 2025
45-H-15-E	Livingston Parish	Withdrawn	March 14, 2025
45-H-16	St. James Parish	Dismissed	January 31, 2025
45-H-17	Lincoln Parish	Withdrawn	January 13, 2025
45-H-18	Bossier Parish	Pending	--
45-H-19	Lincoln Parish	Pending	--
45-H-20	Orleans Parish	Dismissed	March 6, 2025
45-H-21	Bossier Parish	Pending	--
45-H-22	Lincoln Parish	Pending	--
45-H-23	Lincoln Parish	Pending	--
45-H-24-E	Lincoln Parish	Pending	--
45-H-25	Calcasieu Parish	Pending	--

45-H-26	Jefferson Parish	Pending	--
45-H-27	Livingston Parish	Pending	--
45-H-28	St. Tammany Parish	Pending	--
45-H-29	St. Martin Parish	Pending	--

# **Louisiana Special Education Due Process Hearing**

**45-H-01**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT**

**\* DOCKET NO. 2024-16866-DOE-IDEA**

**IN THE MATTER OF**

**\*  
\*  
\***

**PARENT ON BEHALF OF MINOR<sup>1</sup>**

**\* AGENCY LOG NO. 45-H-01**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On July 22, 2024, Parent on behalf of Minor filed a request for a due process hearing. On July 24, 2024, Parent on behalf of Minor submitted a written request to withdraw the due process request stating that she will continue with her formal complaint filed on May 18, 2024. There is no pending conference or hearing scheduled. The request to withdraw a due process hearing is granted.

**ORDER**

**IT IS ORDERED** that Parent on behalf of Minor's Withdrawal of Hearing Request is **GRANTED**.

**IT IS ORDERED** that the matter entitled Parent on behalf of Minor bearing docket number *2024-16866-DOE-IDEA* is **TERMINATED**.

Rendered and signed on August 7, 2024, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Thursday, August 08, 2024, I have sent a copy of this decision/order to all parties of this matter.




*Clerk of Court*  
Division of Administrative Law



Stephanie E. Robin  
Administrative Law Judge  
Division of Administrative Law

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

**LEGEND**

Parent	
Minor	
School	
School District	New Orleans Public Schools

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2024-16866-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail this 8th day of August 2024.

\_\_\_\_\_  
Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL AND CERTIFIED MAIL**

[REDACTED]  
[REDACTED]

New Orleans, LA 70122

CERTIFIED MAIL #7019 2280 0000 0865 **2312**

[REDACTED]

**BY CERTIFIED MAIL ONLY**

Dr. Shayla G. Hilaire  
NOLA Public Schools  
2401 Westbend Parkway  
New Orleans, LA 70114  
CERTIFIED MAIL #7019 2280 0000 0865 **2329**

**BY REGULAR, FIRST-CLASS MAIL ONLY**

Dr. Avis Williams  
Superintendent  
NOLA Public Schools  
2401 Westbend Parkway  
New Orleans, LA 70114

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education  
E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-02**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT**

**\* DOCKET NO. 2024-17361-DOE-IDEA**

**\***

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENT ON BEHALF OF MINOR  
CHILD<sup>1</sup>**

**\* AGENCY ID. 45-H-02**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

Parent on behalf of Minor Child requested an administrative hearing to challenge actions by School District. A telephone status conference was scheduled for August 9, 2024. On August 6, 2024, Parent agreed to and signed a resolution agreement withdrawing his request for a hearing. The request is granted.

**ORDER**

**IT IS ORDERED** that Parent on behalf of Minor Child's withdrawal of hearing request is **GRANTED**.

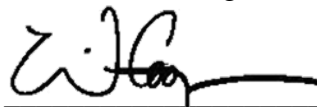
**IT IS FURTHER ORDERED** that Parent on behalf of Minor Child's request for a hearing is **DISMISSED**, the adjudication under docket number 2024-17361-DOE-IDEA is **TERMINATED**, and the telephone status conference on August 9, 2024, at 10:00 a.m. is **CANCELED**.

Rendered and signed on August 8, 2024, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Thursday, August 08, 2024, I have sent a copy of this decision/order to all parties of this matter.

*Clerk of Court*  
Division of Administrative Law



\_\_\_\_\_  
William H. Cooper III  
Administrative Law Judge  
Division of Administrative Law

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

## LEGEND

PARENT: [REDACTED]

MINOR CHILD: [REDACTED]

SCHOOL DISTRICT: Caddo Parish School Board

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2024-17361-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail this 8th day of August 2024.

\_\_\_\_\_  
Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL AND CERTIFIED MAIL**



Shreveport, LA 71129

CERTIFIED MAIL #7019 2280 0000 0865 **2336**



**BY CERTIFIED MAIL ONLY**

Dr. Shelia Lockett  
Executive Director  
Caddo Parish Public Schools  
2226 Murphy Street  
Shreveport, LA 71103  
CERTIFIED MAIL #7019 2280 0000 0865 **2343**

**BY REGULAR, FIRST-CLASS MAIL ONLY**

Dr. T. Lamar Goree  
Superintendent  
Caddo Parish Public Schools  
1961 Midway Avenue  
Shreveport, LA 71108

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education  
E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-03**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT**

**\* DOCKET NO. 2024-18272-DOE-IDEA**

**\***

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENT ON BEHALF OF CHILD**

**\* AGENCY ID. 45-H-03**

\*\*\*\*\*

**ORDER GRANTING DECLINATORY EXCEPTION**

On August 5, 2024, Parent<sup>1</sup> on behalf of Child filed a request for a due process hearing naming School District as a party. The Division of Administrative Law (DAL) received the due process hearing request from the Louisiana Department of Education (LDOE) on August 6, 2024. On August 8, 2024, School District received the due process hearing request from LDOE.

Parent's due process hearing request consists of her statement on the form provided by the Louisiana Department of Education (LDOE) in the violations section, "My son is not being placed in the correct classroom nor the correct parish...IEP and Behavior Plan is not correct. I request an IEP meeting and have not received."

On August 12, 2024, School District through counsel of record filed a Declinatory Exception of Improper Party.<sup>2</sup> In support of its exception, School District submitted documents showing that Child was not enrolled in School District until August 9, 2024, four days after the date Parent filed the due process hearing request. School District also submitted documentation that during the one-year prescriptive ("look-back") period allowed for due process hearings, which

---

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. *See* attached Legend for identifying information.

<sup>2</sup> Within fifteen days of receipt of the written request for due process hearing, the receiving party may file an exception to raise the insufficiency of the request, including through a Declinatory Exception of Improper Party. *See* Louisiana Administrative Code (LAC) 28:XLIII.508.B and La. Code of Civ. Proc. art. 925.

in this case is the 2023-2024 school year, Child was enrolled in a different High School under the jurisdiction of School District #2.

School District has shown that it could not be the proper party for a due process hearing request filed on August 5, 2024. Louisiana Administrative Code (LAC) 28:XLIII.507.A.2 provides that “the due process hearing request shall allege a violation that occurred not more than one year before the date the parent knew or should have known about the alleged action that forms the basis of the request for due process hearing.” Because Child was not enrolled in School District, the alleged actions during the previous year could not have been committed by the named School District. The proper party is the School District that owed Child certain education rights under the Individuals with Disabilities Education Act (IDEA) during the one-year period prior to the filing of the due process hearing request.

While some defects in a request for due process hearing may be cured by amending the complaint,<sup>3</sup> naming the proper party cannot simply be cured by an amendment because due process requires notice and service through LDOE on the proper School District. This tribunal could not allow an amendment to the due process hearing request to substitute the proper party because LDOE and not the Division of Administrative Law is the agency responsible for ensuring due process notice and service on the correct School District. Additionally, once LDOE effects due process by serving the due process hearing request on a School District, that School District is required to meet certain regulation requirements, including participating in a resolution meeting to attempt a resolution, attending mediation if requested, and/or participating in the due process hearing. The School District named in Parent’s request for due process hearing is not the party who owed the education rights under the IDEA to Child within one year prior to the filing of the

---

<sup>3</sup> 34 C.F.R. § 300.508(d); LAC 28:XLIII.508.E.

due process request. The named School District is not the party required to conduct the resolution meeting, attend mediation, and/or participate in this due process hearing.

For these reasons, School District's Declinatory Exception is granted and Parent's request for a due process hearing is dismissed.

This tribunal notes that it cannot give legal advice to the parties, as it must remain independent and impartial. This tribunal is allowed to explain the proceedings to a self-represented party. While the granting of the Declinatory Exception of Improper Party results in a dismissal of this request for due process hearing, Parent is allowed to refile a request for due process hearing with LDOE against the correct School District.

### **ORDER**

**IT IS ORDERED** that School District's Declinatory Exception of Improper Party is **GRANTED**.

**IT IS FURTHER ORDERED** that Parent on behalf of Child's due process hearing request, bearing docket number 2024-18272-DOE-IDEA, is **DISMISSED** and the adjudication is **TERMINATED**.

**IT IS FURTHER ORDERED** that the initial telephone conference scheduled for August 28, 2024, at 10:00 a.m., is **CANCELLED**.

Rendered and signed on August 15, 2024, in Baton Rouge, Louisiana.

*Esther A. Redmann*  
\_\_\_\_\_  
Esther A. Redmann  
Administrative Law Judge  
Division of Administrative Law

### **NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, August 19, 2024, I have sent a copy of  
this decision/order to all parties of this matter.

*Clerk of Court*  
\_\_\_\_\_  
Division of Administrative Law

**LEGEND**

School District

Iberia Parish School District

Parent



Minor Child



High School



School District #2

Ascension Parish School Board

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Granting Declinatory Exception in Docket No. 2024-18272-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail this 19th day of August 2024.

\_\_\_\_\_  
Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL AND CERTIFIED MAIL**

[REDACTED]  
[REDACTED]

St. Gabriel, LA 70776

CERTIFIED MAIL #7019 2280 0000 0865 **2350**

[REDACTED]

**BY CERTIFIED MAIL ONLY**

Ms. Pamela Moore  
Supervisor of Special Education  
Iberville Parish School District  
58060 Plaquemine Street  
Plaquemine, LA 70764  
CERTIFIED MAIL #7019 2280 0000 0865 **2367**  
[pamelamoore@ipsb.education](mailto:pamelamoore@ipsb.education)

**BY REGULAR, FIRST-CLASS MAIL ONLY**

Dr. Louis Voiron, Jr.  
Superintendent  
Iberville Parish School District  
58060 Plaquemine Street  
Plaquemine, LA 70764

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education  
E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-04**



# **Louisiana Special Education Due Process Hearing**

**45-H-05**



# **Louisiana Special Education Due Process Hearing**

**45-H-06-E**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT<sup>1</sup>**

\*  
\*  
\*  
\*

**DOCKET NO. 2024-50003-DOE**

**IN THE MATTER OF**

**PARENT ON BEHALF OF MINOR**

\*

**AGENCY ID. 45-H-06-E**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On September 19, 2024, Parent on behalf of Minor filed a *Withdrawal of Hearing Request*.<sup>2</sup> Parent's request for a due process hearing is dismissed, and the above-captioned adjudication is terminated.

**ORDER**

**IT IS ORDERED** that Parent on Behalf of Minor's request for a due process hearing is **DISMISSED** and the above-captioned matter is **TERMINATED**.

Rendered and signed on September 19, 2024, in New Orleans, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, September 23, 2024, I have sent a copy of this decision/order to all parties of this matter.

\_\_\_\_\_  
**Clerk of Court**  
Division of Administrative Law



\_\_\_\_\_  
Leighann N. Guilbeau  
Administrative Law Judge  
Division of Administrative Law

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

<sup>2</sup> Administrative Law Judge Leighann N. Guilbeau conducted a telephone status conference on September 19, 2024. Parent on behalf of Minor, Wayne T. Stewart, counsel for School District, and a representative from School District appeared for the conference. The parties confirmed that an agreement was signed during the resolution meeting conducted on September 6, 2024. Counsel moved to dismiss Parent on behalf of Minor's due process complaint because the resolution agreement allowed the parties three days to void the agreement and Parent on behalf of Minor had not voided the agreement. Parent on behalf of Minor stated on the record that she was withdrawing her request for a due process hearing. Parent on behalf of Minor filed the *Withdrawal of Hearing Request* after the telephone status conference.

**Legend**

Parent	
Minor	
School	
School District	DeSoto Parish Schools
School District Representatives	Francie Woods and Clay Corley

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2024-50003-DOE** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail this 23rd day of September 2024.

Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL, ELECTRONIC MAIL, AND CERTIFIED MAIL**

[REDACTED]  
[REDACTED]

Stonewall, LA 71078

[REDACTED]

CERTIFIED MAIL #7019 2280 0000 0865 **2398**

**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

DeSoto Parish Schools

Attn: Francie Woods

399 Jenkins Street

Mansfield LA 71052

[francie.woods@desotopsb.com](mailto:francie.woods@desotopsb.com)

CERTIFIED MAIL #7019 2280 0000 0865 **2404**

**BY REGULAR, FIRST-CLASS MAIL ONLY**

DeSoto Parish Schools

Attn: Clay Corley, Superintendent

399 Jenkins Street

Mansfield, LA 71052

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education

E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-07**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL AND SCHOOL DISTRICT<sup>1</sup>** \* **DOCKET NO. 2024-50096-DOE**

\*

\*

**IN THE MATTER OF**

\*

\*

**PARENT ON BEHALF OF CHILD** \* **AGENCY ID NO. 45-H-07**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On December 23, 2024, Parent through her counsel, Sara Godchaux, filed a *Motion to Withdraw* her hearing request, as the parties have agreed to a settlement.

**ORDER**

**IT IS ORDERED** that the above entitled and numbered case is terminated.

**IT IS FURTHER ORDERED** that the hearing scheduled for the week of January 13-17, 2025, is canceled.

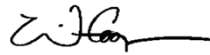
Rendered and signed on January 3, 2025, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Friday, January 03, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



\_\_\_\_\_  
William H. Cooper  
Administrative Law Judge  
Division of Administrative Law

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

### Legend

Parent (Grandparent)

Minor

School District

School



New Orleans, Louisiana (NOLA) Public Schools



**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication in Docket No. 2024-50096-DOE** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on January 3, 2025.

Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL, ELECTRONIC MAIL AND CERTIFIED MAIL**

Ms. S. Godchaux, Ms. E. Aucoin, Ms. A. Daigle  
Attorneys at Law  
7214 St. Charles Avenue, Box 902  
New Orleans, LA 70118  
CERTIFIED MAIL #7019 2280 0000 0865 **5054**

**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Mr. Wayne T. Stewart  
Attorney at Law  
2431 South Acadian Thruway, Suite 600  
Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **5061**

Ms. Kristen Amond  
Attorney at Law  
3640 Magazine Street  
New Orleans, LA 70115  
CERTIFIED MAIL #7019 2280 0000 0865 **5078**

**BY REGULAR, FIRST-CLASS MAIL**

NOLA Public Schools  
Ms. Avis Williams  
2401 Westbend Parkway  
New Orleans, LA 70114

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education  
E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-08**



COPY

STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT<sup>1</sup>

\*  
\*  
\*  
\*  
\*

DOCKET NO. 2024-50201-DOE

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

\*

AGENCY ID. 45-H-08

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On October 30, 2024, Parent on behalf of Minor submitted a *Withdrawal of Hearing Request* withdrawing her request and waiving her right to a hearing. The telephone status conference scheduled for November 8, 2024, at 1:00 p.m., is canceled.

**ORDER**

**IT IS ORDERED** that the adjudication entitled *School District in the matter of Parent on Behalf of Minor* bearing docket number 2024-50201-DOE is **TERMINATED**.

**IT IS FURTHER ORDERED** that the telephone status conference scheduled for November 8, 2024, at 1:00 p.m., is **CANCELED**.

Rendered and signed on October 30, 2024, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Thursday, October 31, 2024, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**



Division of Administrative Law



Stephanie E. Robin  
Administrative Law Judge  
Division of Administrative Law

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this *Conference Report and Order*. See attached **Legend** for identifying information.

**Legend**

Parent	
Minor	
School District	Terrebonne Parish School District
School District Representative	Blaise Pellegrin

# **Louisiana Special Education Due Process Hearing**

**45-H-09**



# **Louisiana Special Education Due Process Hearing**

**45-H-10-E**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT<sup>1</sup>**

\*  
\*  
\*  
\*

**DOCKET NO. 2024-53369-DOE-IDEA**

**IN THE MATTER OF**

**PARENT ON BEHALF OF MINOR**

\*

**AGENCY ID. 45-H-10-E**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On January 29, 2025, Parent on behalf of Minor filed a *Withdrawal of Hearing Request*. Parent on behalf of Minor's request is granted. Parent on behalf of Minor's request for a due process hearing is dismissed, the above-captioned adjudication is terminated, and the telephone status conference scheduled for February 7, 2025, is canceled.

**ORDER**

**IT IS ORDERED** that Parent on behalf of Minor's *Withdrawal of Hearing Request* is **GRANTED**.

**IT IS FURTHER ORDERED** that Parent on behalf of Minor's request for a hearing is **DISMISSED**, and the adjudication bearing docket number 2024-53369-DOE-IDEA is **TERMINATED**.

**IT IS FURTHER ORDERED** that the February 7, 2025, telephone status conference is **CANCELED**.

Rendered and signed on January 30, 2025, in New Orleans, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Thursday, January 30, 2025, I have sent a copy of this decision/order to all parties of this matter.




*Clerk of Court*  
Division of Administrative Law



\_\_\_\_\_  
Leighann N. Guilbeau  
Administrative Law Judge  
Division of Administrative Law

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

**LEGEND**

Parent	
Minor Child	
School District	Lafayette Parish School System
School	
School District Representative	Holly Ortego

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2024-53369-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on January 30, 2025.

Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL, ELECTRONIC MAIL AND CERTIFIED MAIL**

[REDACTED]

Carencro, LA 70520

CERTIFIED MAIL #7019 2280 0000 0865 **5108**

[REDACTED]

**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Mr. Wayne T. Stewart

Attorney at Law

2431 South Acadian Thruway, Suite 600

Baton Rouge, LA 70808

CERTIFIED MAIL #7019 2280 0000 0865 **5115**

[wstewart@hamsil.com](mailto:wstewart@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL AND ELECTRONIC MAIL**

Lafayette Parish School System

c/o Mr. Francis Touchet, Jr.

202 Rue Iberville

Lafayette, LA 70508-1502

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education

E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-11**



# **Louisiana Special Education Due Process Hearing**

**45-H-12**



# **Louisiana Special Education Due Process Hearing**

**45-H-13**



# **Louisiana Special Education Due Process Hearing**

**45-H-14**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

<b>SCHOOL DISTRICT<sup>1</sup></b>	*	<b>DOCKET NO. 2024-54456-DOE-IDEA</b>
	*	
<b>IN THE MATTER OF</b>	*	
	*	
<b>PARENT ON BEHALF OF MINOR</b>	*	<b>AGENCY LOG NO. 45-H-14</b>

\*\*\*\*\*

**ORDER ON MINOR’S RESIDENCY**

Minor does not reside within School District’s geographical boundaries; therefore, School District does not have a duty to provide a free appropriate public education (FAPE) to Minor.

On November 27, 2024, the Louisiana Department of Education received a written request for a due process hearing from Kimona Hogan, counsel for Parent on behalf of Minor. Parent alleged that School District denied Minor a FAPE when it violated the rights of both Parent and Minor by (1) failing to conduct a thorough investigation or provide Parent with sufficient notice of her rights to appeal School District’s residency determination that Minor is not a resident in School District’s geographical area; and (2) refusing and failing to convene an Individualized Education Program team meeting or implement any services after finding Minor eligible for special education services. Parent requested an Independent Education Evaluation (IEE) at public expense<sup>2</sup> and sought an order of stay-put.

A stay-put order was granted, which allowed Minor to remain in School during the pendency of the due process proceedings. School District, through its counsel, Wayne T. Stewart, filed a peremptory exception of lack of subject matter jurisdiction (Exception) and Parent, through her counsel, Ms. Hogan, filed an opposition to School District’s Exception.

---

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

<sup>2</sup> School District filed a request for a due process hearing regarding Parent’s IEE request.

Zoom Hearing on Minor's Residency

A Zoom hearing was conducted on January 16, 2025, before Administrative Law Judge (ALJ) Adaora Chukudebelu, on the limited issue of Minor's residency, which is the crux of the issue in this case. Present for the hearing were Parent and her counsel, Ms. Hogan; Mr. Stewart, counsel for School District, and the following School District personnel: School District representative, Chief of Schools and Student Support, and Risk Management Staff.

At the hearing Parent, School District representative, Risk Management Staff, and Chief of Schools and Student Support testified.<sup>3</sup> Based on their testimony and exhibits presented, these are the relevant facts to the question of Minor's residency during enrollment at School and disenrollment from School:

1. Minor is a [REDACTED] student with an exceptionality.<sup>4</sup> Minor is eligible for special education services under the Individuals with Disabilities Education Act (IDEA).<sup>5</sup>
2. In August 2024, Minor was enrolled in School.<sup>6</sup>
3. School is in SJP, which is School District's geographical boundaries.<sup>7</sup>
4. On or about November 8, 2024, School District disenrolled Minor claiming Minor did not reside within School District's geographical boundaries.<sup>8</sup>
5. Parent is Minor's mother.<sup>9</sup> Parent is not divorced.<sup>10</sup> Minor is not a foster child.<sup>11</sup>

---

<sup>3</sup> Parent's exhibits were admitted as marked: P-1 (35 pages), and P-9 (four pages). School District's exhibits were admitted as marked: SD-1 (35 pages) and SD-5 (eight pages). Because Exhibits P-1 and SD-1 are identical, this *Order* cites only P-1.

<sup>4</sup> P-9, testimony of School District representative and Chief of Schools and Student Support.

<sup>5</sup> P-9, testimony of School District representative and Chief of Schools and Student Support.

<sup>6</sup> Testimony of Chief of Schools and Student Support.

<sup>7</sup> Testimony of Chief of Schools and Student Support.

<sup>8</sup> P-1 at p. 29 and P-9.

<sup>9</sup> Testimony of Parent.

<sup>10</sup> Testimony of Parent.

<sup>11</sup> Testimony of Parent.

6. Parent did not relinquish custody of Minor.<sup>12</sup>
7. School District's 2024-2025 Student Enrollment Packet completed by Parent documents that Parent and Student's physical address is in SJBP.<sup>13</sup>
8. Parent completed the Louisiana Student Residency Questionnaire Form and indicated that a third party, AD, cares for Minor.<sup>14</sup>
9. Parent completed an enrollment form for School and indicated that Minor's home address is AD's home address located in SJP.<sup>15</sup>
10. Parent provided an affidavit and a notarized statement attesting that she and Minor live with AD at an address located in SJP.<sup>16</sup>
11. AD provided proof of residency in SJP.<sup>17</sup>
12. At Minor's enrollment and disenrollment, Parent's legal residence was in SJBP.<sup>18</sup>
13. School District staff reviewed the application and affidavit before enrolling Minor in School.<sup>19</sup>

*Minor Does Not Reside Within School District's Geographical Boundaries*

Under the IDEA and Louisiana law, the Local Education Agencies, like School District, have a duty to provide a FAPE to every student with exceptionality residing within their geographical boundaries.<sup>20</sup> Louisiana Law also provides that the residence of a student is the resident of the student's parent or parents.<sup>21</sup> As part of School District's admission policy,

---

<sup>12</sup> Testimony of Parent.

<sup>13</sup> P-1 at p. 2.

<sup>14</sup> *Id.* at p. 10.

<sup>15</sup> *Id.* at p. 13.

<sup>16</sup> *Id.* at pp. 14 and 15.

<sup>17</sup> *Id.* at pp. 17 - 20.

<sup>18</sup> Testimony of Parent.

<sup>19</sup> Testimony of Chief of Schools and Student Support.

<sup>20</sup> 20 U.S.C. § 1415(j); 34 C.F.R. § 300.101 (2024); La. R.S. 17:1941; and Louisiana Administrative Code 28:XLIII, Bulletin 1706, Chapter 5, Subchapter A, § 230(B).

parents or legal guardians must present a completed registration packet and other identifying information including proof of residency.<sup>22</sup> School District's admission policy also requires parents or legal guardians of enrolling students who reside within the household of a SJP resident, without a rental or lease agreement, to complete and notarize a School District Affidavit.<sup>23</sup>

Parent completed and presented a Student Enrollment Packet and notarized affidavit to School District. The Student Enrollment Packet shows that the physical address for Parent and Minor is in SJBP, not in SJP.<sup>24</sup> Parent attested in the notarized affidavit that she and Minor reside with AD in SJP.<sup>25</sup> Upon questioning by the ALJ, Parent acknowledged that she does not reside in SJP, that she resides in SJBP.

Parent's testimony and the Student Enrollment Packet submitted to School District confirm that her residence is within the geographical boundaries of SJBP, not that of SJP.<sup>26</sup> Because her legal residence is in SJBP, Minor's residence for purposes of IDEA is in SJBP and the resulting duty to provide a FAPE falls on the school district in SJBP, and not School District, which is in SJP.

Parent argued that she did not intentionally mislead School District; therefore, Minor should remain at School. Parent's argument is unpersuasive. For purposes of this case, Parent's intent is irrelevant and so is School District's failure to conduct a thorough review of the Student Enrollment Packet and affidavit. The relevant question is whether Minor resides in School

---

<sup>21</sup> La. R.S. 17:1942(B)(3)(a). *See also* La. R.S. 17:1942(B)(3)(b) and (c) (which address residency of students whose parents are divorced and who is in foster care, respectively). Because Minor is not in foster care and Minor's parents are not divorced, La. R.S. 17:1942(B)(3)(b) and (c) are not applicable to the facts of this case, and they will not be discussed in this *Order*.

<sup>22</sup> P-1 at pp. 25-28.

<sup>23</sup> *Id.* at pp. 27-28.

<sup>24</sup> *Id.* at pp. 2-3.

<sup>25</sup> *Id.* at p. 15.

<sup>26</sup> Parent under questioning by the ALJ acknowledged that she is not divorced, she has not relinquished her custody of Minor, and Minor is not in foster care.

District's geographical boundaries. Because Parent's residence is Minor's residence for purposes of IDEA, the answer to that question is no.

Considering the above Parent's due process hearing request is dismissed as moot. School District's *Peremptory Exception of Lack of Subject Matter Jurisdiction* is granted.

### **ORDER**

**IT IS ORDERED** that Minor, for the purposes of the Individuals with Disabilities Education Act, is not a resident within School District's geographical boundaries.

**IT IS FURTHER ORDERED** that School District's *Peremptory Exception of Lack of Subject Matter Jurisdiction* is **GRANTED**.

**IT IS FURTHER ORDERED** that Parent on behalf of Minor's request for a due process hearing is **DISMISSED**, and the adjudication in this matter is **TERMINATED**.

Rendered and signed on January 31, 2025, in Baton Rouge, Louisiana.

#### **NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, February 03, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**  
Division of Administrative Law







\_\_\_\_\_  
Adaora Chukudebelu  
Administrative Law Judge  
Division of Administrative Law

### **REVIEW RIGHTS**

This hearing decision is final unless it is appealed. Any aggrieved party has the right to appeal the findings and decision by filing a civil action within ninety (90) days from the date of this decision in a state court of competent jurisdiction or in a district court of the United States in accordance with Louisiana Administrative Code 28:XLIII.516.

### Legend

Parent	
Minor	
AD	
School	
School District	St. James Parish School System
School District representative	Senecca Boudreaux
Chief of Schools and Student Support	Amy Laiche
Risk Management Staff	Kelly Cook
SJP	St. James Parish
SJBP	St. John the Baptist Parish

**CERTIFICATE OF SERVICE**

I certify that the attached **Order on Minor's Residency** in **Docket No. 2024-54456-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on February 3, 2025.

Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL, ELECTRONIC MAIL AND CERTIFIED MAIL**

Ms. Kimona Hogan  
Attorney at Law  
176 Misty Pike Drive  
Raleigh, NC 27603  
CERTIFIED MAIL #7019 2280 0000 0865 **5122**  
[hoganlawfirm@yahoo.com](mailto:hoganlawfirm@yahoo.com)

**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Mr. Wayne T. Stewart  
Attorney at Law  
2431 South Acadian Thruway, Suite 600  
Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **5139**  
[wstewart@hamsil.com](mailto:wstewart@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL**

St. James Parish Schools  
c/o Mr. Chris Kimball, Superintendent  
1876 West Main Street  
Lutcher, LA 70071

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education  
E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-15-E**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT<sup>1</sup>**

**\* DOCKET NO. 2024-54832-DOE-IDEA**

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENT ON BEHALF OF MINOR**

**\***

**AGENCY ID. 45-H-15-E**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On March 14, 2025, Parent on behalf of Minor through her counsel, Kenneth Kolb, withdrew her request for a due process hearing on the grounds the matter had been settled. The request is granted, the adjudication is terminated, and the hearing scheduled for March 17, 18, and 20, 2025 is canceled.

**ORDER**

**IT IS ORDERED** that the matter entitled *School District in the matter of Parent on behalf of Minor* bearing docket number 2024-54832-DOE-IDEA is **TERMINATED**.

**IT IS FURTHER ORDERED** that the hearing scheduled for March 17, 18, and 20, 2025, is **CANCELED**.

Rendered and signed on March 14, 2025, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, March 17, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



\_\_\_\_\_  
William H. Cooper  
Administrative Law Judge  
Division of Administrative Law

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

**Legend**

Parent



Minor



School District

Livingston Parish Public Schools

School District Representative

Eric Penalbar

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2024-54832-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on March 17, 2025.

Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL, ELECTRONIC MAIL AND CERTIFIED MAIL**

Mr. Kenneth Kolb  
Attorney at Law  
8325 Oak Street  
New Orleans, LA 70118  
CERTIFIED MAIL #7019 2280 0000 0865 **5214**  
[kkolb@disabilityrightsla.org](mailto:kkolb@disabilityrightsla.org)

**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Mr. Timothy Riveria  
Mr. Wayne T. Stewart  
Attorneys at Law  
2431 S. Acadian Thruway, Suite 600  
Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **5221**  
[triveria@hamsil.com](mailto:triveria@hamsil.com)  
[wstewart@hamsil.com](mailto:wstewart@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL**

Mr. Jody W. Purvis  
Superintendent  
c/o Livingston Parish Public Schools  
13909 Florida Boulevard  
Livingston, LA 70754

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education  
E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-16**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT<sup>1</sup>**

\*  
\*  
\*  
\*  
\*

**DOCKET NO. 2024-55926-DOE-IDEA**

**IN THE MATTER OF**

**PARENT ON BEHALF OF  
MINOR**

**AGENCY ID. 45-H-16**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On November 27, 2024, the Louisiana Department of Education (LDOE) received a request for a due process hearing from Kimona Hogan, counsel for Parent on behalf of Minor, alleging that School District denied Minor a free appropriate public education. Parent in her request sought, among other things, an Independent Education Evaluation at public expense.

On December 20, 2024, LDOE received a request for a due process hearing from School District to show that its evaluation of Minor is appropriate.

Because Parent's request for a due process hearing has been dismissed and the adjudication in that matter terminated, School District's request for a due process hearing to show that its evaluation of Minor is appropriate is moot. School District's request for a due process hearing is dismissed, and the adjudication in this matter is terminated.

**ORDER**

**IT IS ORDERED** that School District's request for a due process hearing to show that its evaluation of Minor is appropriate is **DISMISSED**, and the adjudication in this matter is **TERMINATED**.

Rendered and signed on January 31, 2025, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, February 03, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



Adaora Chukudebelu

Administrative Law Judge




Division of Administrative Law

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

## **REVIEW RIGHTS**

This hearing decision is final unless it is appealed. Any aggrieved party has the right to appeal the findings and decision by filing a civil action within ninety (90) days from the date of this decision in a state court of competent jurisdiction or in a district court of the United States in accordance with Louisiana Administrative Code 28:XLIII.516.

**Legend**

Parent	
Minor	
School	
School District	St. James Parish School System
School District representative	Senecca Boudreaux

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2024-55926-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on February 3, 2025.

Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL, ELECTRONIC MAIL AND CERTIFIED MAIL**

Ms. Kimona Hogan  
Attorney at Law  
176 Misty Pike Drive  
Raleigh, NC 27603  
CERTIFIED MAIL #7019 2280 0000 0865 **5146**  
[hoganlawfirm@yahoo.com](mailto:hoganlawfirm@yahoo.com)

**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Mr. Wayne T. Stewart  
Attorney at Law  
2431 South Acadian Thruway, Suite 600  
Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **5153**  
[wstewart@hamsil.com](mailto:wstewart@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL AND ELECTRONIC MAIL**

St. James Parish Schools  
c/o Mr. Chris Kimball, Superintendent  
1876 West Main Street  
Lutcher, LA 70071

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education  
E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-17**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT<sup>1</sup>**

**\* DOCKET NO. 2025-0151-DOE-IDEA**

\*

\*

**IN THE MATTER OF**

\*

\*

**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 45-H-17**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On January 10, 2025, Parent on behalf of Minor submitted a request to the Division of Administrative Law to withdraw her request for a due process hearing.

**ORDER**

**IT IS ORDERED** that the adjudication entitled *School District In the Matter of Parent on Behalf of Minor* bearing Division of Administrative Law Docket Number 2025-0151-DOE-IDEA is **TERMINATED**.

**IT IS FURTHER ORDERED** that the telephone status conference scheduled for January 21, 2025, at 11:00 AM is **CANCELED**.

**IT IS FURTHER ORDERED** that the due process hearing scheduled for February 12, 2025, at 9:00 AM is **CANCELED**.

Rendered and signed on January 13, 2025, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Wednesday, January 15, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



**Lynette Roberson**

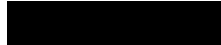
**Administrative Law Judge**

**Division of Administrative Law**

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

### Legend

Parent



Minor



School District

Lincoln Parish Schools

School District Representatives

Rickey Durrett and Phaedra Blake

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-0151-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on **January 15, 2025**.

Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL, CERTIFIED MAIL AND ELECTRONIC MAIL**

[REDACTED]  
[REDACTED]

Choudrant, LA 71227

[REDACTED]

CERTIFIED MAIL #7019 2280 0000 0865 **5085**

**BY CERTIFIED MAIL AND ELECTRONIC MAIL**

Lincoln Parish Schools  
c/o Ms. Phaedra Blake  
410 South Farmerville Street  
Ruston LA 71270

[phaedra.blake@lincolnschools.org](mailto:phaedra.blake@lincolnschools.org)

CERTIFIED MAIL #7019 2280 0000 0865 **5092**

**BY REGULAR, FIRST-CLASS MAIL**

Lincoln Parish Schools  
c/o Mr. Ricky Durrett, Superintendent  
410 South Farmerville Street  
Ruston, LA 71270

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education  
E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# **Louisiana Special Education Due Process Hearing**

**45-H-18**



# **Louisiana Special Education Due Process Hearing**

**45-H-19**



# **Louisiana Special Education Due Process Hearing**

**45-H-20**



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT<sup>1</sup>**

**\* DOCKET NO. 2025-2345-DOE-IDEA**

**\***

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENTS ON BEHALF OF MINOR**

**\* AGENCY ID. 45-H-20**

\*\*\*\*\*

**ORDER GRANTING MOTION TO DISMISS DUE PROCESS COMPLAINT**

On February 5, 2025, Parents on behalf of Minor, through counsel, Chris Edmunds, filed a request for due process hearing seeking an order barring School from using entry achievement assessment tests, specifically the IOWA assessment, as an admissions criteria, alleging the admissions criteria discriminates against individuals with disabilities in violation of the Individuals with Disabilities Education Act (IDEA) by denying Minor a Free Appropriate Public Education (FAPE), the Americans with Disabilities Act (ADA), and the Louisiana Human Rights Act (LHRA). Parents on behalf of Minor also seek a permanent injunction, declaratory relief, damages, and attorney's fees.

On February 14, 2025, School, through counsel, Ashley Jackson, Melissa Lessell, and Casey Wendling, filed a *Motion to Dismiss Due Process Complaint* and an incorporated memorandum in support. On February 17, 2025, counsel for Parent on behalf of Minor filed an opposition, entitled "*Opposition to School's Rule 508 Challenge, improperly styled as 'Motion to Dismiss.'*" On February 24, 2025, counsel for School filed a reply memorandum in response to Parents on behalf of Minor's opposition.

On February 27, 2025, a telephone hearing on School's *Motion to Dismiss Due Process Complaint* was held before Administrative Law Judge Esther A. Redmann. Participating in the

---

<sup>1</sup> Due to confidentiality requirements, all specific identifying information has been redacted from this order. See attached Legend for identifying information.

hearing were Chris Edmonds, counsel for Parents on behalf of Minor, and Ashley Jackson, Melissa Lessell, and Casey Wendling, counsel for School. Also participating was Special Education Director for School.<sup>2</sup>

Parents on behalf of Minor allege that School systemically discriminates against individuals with disabilities, particularly intellectual disabilities, by requiring applicants to achieve an unattainable threshold score on the IOWA achievement test as a condition for admission. Counsel for Parents argued that the admissions criteria impede disabled students' abilities to gain admission into School and thereby denies FAPE in violation of the rights afforded disabled students under the IDEA, and the protections afforded disabled students in the ADA and LHRA.

School requested dismissal of the due process complaint because the allegations are premature and speculative, and the due process complaint fails to state a claim under the IDEA. Counsel for School argued that Minor has been offered reasonable accommodations to ensure Minor has equal access to the admissions process and that the admissions process is legal but does not guarantee placement at School because School District determines placement under a unified enrollment process.

Louisiana Administrative Code (LAC) 28:XLIII.507.A .1 provides that a parent or public agency may file a Request for Due Process Hearing on any of the matters described in LAC 28:XLIII.504.A.1 and 2, relating to the identification, evaluation, or educational placement of a

---

<sup>2</sup> The undersigned disclosed to the parties that she is related to School's Special Education Director, as his mother and her are first cousins. The undersigned disclosed that she has not had any recent communications with Special Education Director, and she has not discussed this matter with any relatives, including Special Education Director. The undersigned stated that her ability to remain impartial when adjudicating this matter is not affected by the relationship.

student with a disability, or the provision of FAPE to the student.”<sup>3</sup> The matters described in LAC 28:XLIII.504.A.1 and A.2 are as follows:

§504.A.1 - The public agency “proposes to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education to the student.”

§504.A.2 - The public agency “refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education to the student.”<sup>4</sup>

The allegations of systemic discriminatory admissions practices, as well as the issues alleged under the ADA and the LHRA, are unrelated to the identification, evaluation, or educational placement, or the provision of FAPE to Minor. The issues are, therefore, outside the jurisdiction of this tribunal. School’s *Motion to Dismiss Due Process Complaint* is granted.

### **ORDER**

**IT IS ORDERED** that School’s *Motion to Dismiss Due Process Complaint* is **GRANTED**.

**IT IS FURTHER ORDERED** that Parents on behalf of Minor’s request for due process hearing is dismissed and all proceedings in 2025-2345-DOE-IDEA are terminated.

Rendered and signed on March 6, 2025, in Baton Rouge, Louisiana.

#### NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Wednesday, March 12, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law

*Esther A. Redmann*

Esther A. Redmann

Administrative Law Judge

Division of Administrative Law

<sup>3</sup> 34 Code of Federal Regulations (CFR) § 300.507 (2024); LAC 28:XLIII.507.A.

<sup>4</sup> LAC 28:XLIII.504.A.1 and A.2.

LEGEND

Parents



Minor



School District

NOLA Public Schools

School



Special Education Director for School

Dr. Jeffrey Chenier

## **REVIEW RIGHTS**

This decision or order is final unless it is appealed. Any aggrieved party has the right to appeal the findings and decision by filing a civil action within ninety (90) days from the date of this decision in a state court of competent jurisdiction or in a district court of the United States in accordance with Louisiana Administrative Code 28:XLIII.516.

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Granting Motion to Dismiss Due Process Complaint** in **Docket No. 2025-2345-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on March 12, 2025.

Clerk of Court

Division of Administrative Law

**BY REGULAR, FIRST-CLASS MAIL, ELECTRONIC MAIL AND CERTIFIED MAIL**

[REDACTED]

Attorney at Law

[REDACTED]

New Orleans, LA 70118

CERTIFIED MAIL #7019 2280 0000 0865 **5160**

[chrisedmundslaw@gmail.com](mailto:chrisedmundslaw@gmail.com)

**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Ms. Ashley B. Jackson

Attorney at Law

450 Laurel Street, Suite 1900

Baton Rouge, LA 70801

CERTIFIED MAIL #7019 2280 0000 0865 **5177**

[ashley.jackson@arlaw.com](mailto:ashley.jackson@arlaw.com)

Ms. Melissa M. Lessell

Ms. Casey B. Wendling

Attorneys at Law

755 Magazine Street

New Orleans, LA 70130

CERTIFIED MAIL #7019 2280 0000 0865 **5184**

[mlessell@deutschkerrigan.com](mailto:mlessell@deutschkerrigan.com)

[cwendling@deutschkerrigan.com](mailto:cwendling@deutschkerrigan.com)

**BY REGULAR, FIRST-CLASS MAIL**

Ms. Nicolette London

c/o The Willow School

5624 Freret Street

New Orleans, LA 70115

**BY ELECTRONIC MAIL ONLY**

Louisiana Department of Education

E-mail: [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov)

# Louisiana Special Education Due Process Hearing

45-H-21



# **Louisiana Special Education Due Process Hearing**

**45-H-22**



# **Louisiana Special Education Due Process Hearing**

**45-H-23**



# **Louisiana Special Education Due Process Hearing**

**45-H-24-E**



# **Louisiana Special Education Due Process Hearing**

**45-H-25**



# **Louisiana Special Education Due Process Hearing**

**45-H-26**



# **Louisiana Special Education Due Process Hearing**

**45-H-27**



# **Louisiana Special Education Due Process Hearing**

**45-H-28**



# **Louisiana Special Education Due Process Hearing**

**45-H-29**

