

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.

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45-H-01	Orleans Parish	Withdrawn	August 7, 2024
45-H-02	Caddo Parish	Withdrawn	August 9, 2024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45-H-04	Livingston Parish	Withdrawn	May 14, 2025
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45-H-06-E	DeSoto Parish	Withdrawn	September 19, 2024
45-H-07	Orleans Parish	Withdrawn	January 3, 2025
45-H-08	Terrebonne Parish	Withdrawn	October 30, 2024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45-H-10-E	Lafayette Parish	Withdrawn	February 7, 2025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	Compliance	September 26, 2025
45-H-12	Lincoln Parish	Dismissed	July 30, 2025
45-H-13	Lincoln Parish	Dismissed	July 30, 2025
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45-H-15-E	Livingston Parish	Withdrawn	March 14, 2025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45-H-17	Lincoln Parish	Withdrawn	January 13, 2025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	Dismissed	March 31, 2025
45-H-20	Orleans Parish	Dismissed	March 6, 2025
45-H-21	Bossier Parish	Withdrawn	March 31, 2025
45-H-22	Lincoln Parish	Consolidated with 45-H-12	
45-H-23	Lincoln Parish	Consolidated with 45-H-11	
45-H-24-E	Lincoln Parish	Consolidated with 45-H-11	
45-H-25	Calcasieu Parish	Withdrawn	April 29, 2025

45-H-26	Jefferson Parish	Dismissed	June 17, 2025
45-H-27	Livingston Parish	Withdrawn	August 25, 2025
45-H-28	St. Tammany Parish	Pending	--
45-H-29	St. Martin Parish	Withdrawn	April 9, 2025
45-H-30	East Baton Rouge Parish	Pending	--
45-H-31-E	Lafayette Parish	Withdrawn	May 2, 2025
45-H-32	Ascension Parish	Dismissed	May 29, 2025
45-H-33-E	Lafayette Parish	Withdrawn	May 8, 2025
45-H-34	Jefferson Davis Parish	Withdrawn	May 20, 2025
45-H-35	East Baton Rouge Parish	Withdrawn	May 30, 2025
45-H-36	East Baton Rouge Parish	Withdrawn	June 2, 2025
45-H-37	Lycee Francais de la Nouvelle-Orleans	Dismissed	July 24, 2025
45-H-38	Lycee Francais de la Nouvelle-Orleans	Withdrawn	June 13, 2025
45-H-39	New Harmony High School	Withdrawn	August 7, 2025
45-H-40	St. Landry Parish	Withdrawn	July 7, 2025
45-H-41	Jefferson Parish	Dismissed	June 16, 2025
45-H-42	Calcasieu Parish	Pending	--
45-H-43	Zachary Community Schools	Withdrawn	July 23, 2025

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 MINOR¹

*** 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

¹ 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]

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
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New Orleans, LA 70114

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: 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
CHILD¹**

*** 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**.

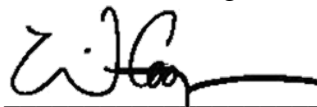
IT IS FURTHER ORDERED that Parent on behalf of Minor Child's request for a hearing is **DISMISSED**, the adjudication under docket number 2024-17361-DOE-IDEA is **TERMINATED**, and the telephone status conference on August 9, 2024, at 10:00 a.m. is **CANCELED**.

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

¹ 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

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[REDACTED]
[REDACTED]

BY CERTIFIED MAIL ONLY

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Executive Director
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Louisiana Department of Education
E-mail: 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, Parent¹ 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.² 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

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

² 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,³ 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

³ 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]

BY CERTIFIED MAIL ONLY

Ms. Pamela Moore
Supervisor of Special Education
Iberville Parish School District
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pamelamoore@ipsb.education

BY REGULAR, FIRST-CLASS MAIL ONLY

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Superintendent
Iberville Parish School District
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Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-04



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹	* DOCKET NO. 2024-18848-DOE-IDEA
	*
IN THE MATTER OF	*
	*
PARENT ON BEHALF OF MINOR	* AGENCY LOG NO. 45-H-04

ORDER TERMINATING ADJUDICATION

On August 14, 2024, Parent on behalf of Minor filed a *Request for Due Process Hearing*. On January 30, 2025, Parent on behalf of Minor filed a *Motion to File Amended Request*. On February 14, 2025, an order was issued by this tribunal granting Parent on behalf of Minor's amended due process hearing request.

A telephone status conference is scheduled for May 14, 2025, at 10:00 a.m., and a due process hearing is scheduled for May 19, 20, 21, 22, and 23, 2025, commencing at 9:00 a.m., each day.

On May 12, 2025, Parent on behalf of Minor filed a motion requesting to withdraw the due process hearing complaint. The request is granted.

ORDER

IT IS ORDERED that Parent on behalf of Minor's request to withdraw the due process hearing complaint is **GRANTED**.

IT IS FURTHER ORDERED that the matter entitled Parent on behalf of Minor bearing docket number *2024-18848-DOE-IDEA* is **TERMINATED**.

IT IS FURTHER ORDERED that the telephone status conference scheduled for May 14, 2025, at 10:00 a.m., is **CANCELED**.

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

IT IS FURTHER ORDERED that the due process hearing scheduled for May 19, 20, 21, 22, and 23, 2025, commencing at 9:00 a.m. each day, is **CANCELED**.

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

Anthony J. Russo

Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Wednesday, May 14, 2025, I have sent a copy of
this decision/order to all parties of this matter.

Clerk of Court

Division of Administrative Law

LEGEND

Parent



Minor



School District

Livingston Parish School Board

Director of Special Education

Dr. Eric Penalber

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication in Docket No. 2024-18848-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail this 14th day of May 2025.

Clerk of Court

Division of Administrative Law

BY REGULAR, FIRST-CLASS MAIL AND CERTIFIED MAIL



BY CERTIFIED MAIL ONLY

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Baton Rouge, LA 70809
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Mr. Parris A. Taylor
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BY REGULAR, FIRST-CLASS MAIL ONLY

Mr. Jody W. Purvis, Superintendent
Livingston Parish Public Schools
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Livingston, LA 70754

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

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 DISTRICT¹

*** 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*.² 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

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

² 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]
[REDACTED]
[REDACTED]

BY ELECTRONIC MAIL AND CERTIFIED MAIL

DeSoto Parish Schools
Attn: Francie Woods
399 Jenkins Street
Mansfield LA 71052
francie.woods@desotopsb.com
CERTIFIED MAIL #7019 2280 0000 0865 **2404**

BY REGULAR, FIRST-CLASS MAIL ONLY

DeSoto Parish Schools
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Mansfield, LA 71052

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-07



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL AND SCHOOL DISTRICT¹ * **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.

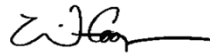
Rendered and signed on January 3, 2025, in Baton Rouge, Louisiana.

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

¹ 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

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Ms. Kristen Amond
Attorney at Law
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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

Louisiana Special Education Due Process Hearing

45-H-08



COPY

STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

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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

¹ 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 DISTRICT¹ * **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

¹ 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]

BY ELECTRONIC MAIL AND CERTIFIED MAIL

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c/o Mr. Francis Touchet, Jr.
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BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-11



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

* **DOCKET NO. 2024-53747-DOE-IDEA**
* **CONSOLIDATED WITH 2025-3489-**
* **DOE-IDEA AND 2025-4410-DOE-IDEA**

IN THE MATTER OF

*
*

PARENT ON BEHALF OF MINOR

* **AGENCY ID. 45-H-11**
* **AGENCY ID. 45-H-23**
* **AGENCY ID. 45-H-24**

DECISION AND ORDER

Parent on behalf of Minor filed due process hearing requests against School District under the Individuals with Disabilities Education Act. Parent alleged that School District denied Minor a free appropriate public education (FAPE). Parent failed to prove that School District denied Minor FAPE. Parent's requested remedies are **DENIED**.

APPEARANCES

Administrative Law Judge Anthony J. Russo conducted the due process hearing via Zoom video on July 21, 2025, and July 22, 2025. Parent appeared as a self-represented litigant on behalf of Minor, who was also present. School District's Student Support Services Director appeared for the hearing with School District's counsel, Carlar M. Alexander and Timothy Riveria.

JURISDICTIONAL AUTHORITY

This due process hearing is authorized by Louisiana Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act² as mandated by the Individuals with Disabilities Education Act (IDEA),³ Louisiana Revised Statutes (La. R.S.) 17:1941 *et seq.*, and the enabling legislation for the Division of Administrative Law.⁴

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

² Louisiana Administrative Code (LAC) 28:XLIII.511.

³ 20 United States Code (U.S.C.) § 1400 *et seq.*; 34 Code of Federal Regulations (C.F.R.) § 300 *et seq.* (2023).

⁴ La. R.S. 49:991 *et seq.*

STATEMENT OF THE CASE

On November 18, 2024, the Louisiana Department of Education (LDOE) received Parent's due process hearing request against School District.⁵ Parent alleged numerous violations of IDEA by School District as it relates to Parent, as well as her three minor children, including Minor who was the subject of the above-captioned due process hearing request.

The specific violations alleged by Parent as to Minor who was the subject of the due process hearing include:

1. School District's failure to update Minor's Individualized Education Plan (IEP) and provide Parent a copy of the IEP;
2. School District's non-consensual physical search of Minor;
3. School District's failure to timely reevaluate Minor; and
4. School District's failure to include Parent as an equal team member in connection with Minor's education.

On November 27, 2024, School District filed a response to Parent's due process hearing request.⁶ On December 3, 2024, School District filed a *Declinatory Exception of Lack of Subject Matter Jurisdiction, Dilatory Exception of Vagueness, and Peremptory Exception of Prescription*. The exceptions were heard on December 23, 2024, and an order was issued on January 6, 2025, sustaining School District's exception of lack of subject matter jurisdiction as to all of Parent's allegations concerning criminal charges filed against Parent, any claims of sexual harassment, intimidation, and violation of Parent or Minor's constitutional rights in connection with the physical search of Minor, and allegations of retaliation against Parent.

On February 17, 2025, LDOE received a second due process hearing request⁷ from Parent contending that School District failed to provide Minor FAPE by:

1. Failing to perform a "triyearly" evaluation of Minor;
2. Failing to provide Parent a "meaningful say" in Minor's education;
3. Imposing an illegal disciplinary change of placement after an on-campus incident

⁵ The matter was assigned docket number 2024-53747-DOE-IDEA.

⁶ SD-4.

⁷ The matter was assigned docket number 2025-3489-DOE-IDEA.

- involving Minor and transferring Minor to an alternative school based on a “false allegation;” and
4. Holding an “illegal” IEP meeting of Minor without Parent’s consent.

On February 27, 2025, School District filed a response to Parent’s due process hearing request.⁸

On February 26, 2025, prior to School District’s response to Parent’s second due process hearing request, Parent filed a third due process hearing request that she requested be expedited,⁹ asserting that School District denied Minor FAPE in the following ways:

1. Failing to develop an IEP that was reasonably calculated to provide an educational benefit by meeting Minor’s unique needs and allowing Minor to make the academic and behavioral progress of which Minor was capable of because:
 - a. School District failed to develop an IEP to include appropriate goals, sufficient Speech/Language and Occupational Therapy minutes, and sufficient behavioral supports such as a Functional Behavioral Assessment (FBA), Behavior Intervention Plan (BIP), or other appropriate services;
 - b. School District failed to implement the services listed in Minor’s IEP and unilaterally placing Minor in a more restrictive environment by failing to provide access to activities which subjected Minor to seclusion via suspensions and removal from his current placement; and
 - c. School District failed to educate Minor in the least restrictive environment to the maximum extent appropriate.

On March 11, 2025, School District filed a response to Parent’s third due process hearing request.¹⁰ On March 25, 2025, School District filed a *Motion to Consolidate and Incorporated Memorandum* requesting Parent’s due process hearing requests be consolidated on the basis that all three due process hearing requests involve common issues of fact and law, as well as the same Minor, School, and School District. After a hearing on April 1, 2025, this tribunal granted School District’s motion and issued an order on April 4, 2025, consolidating the above-captioned

⁸ SD-6.

⁹ The matter was assigned docket number 2025-4410-DOE-IDEA; Parent subsequently requested that the expedited hearing request be converted to a non-expedited matter. The request was granted.

¹⁰ SD-8.

due process hearing requests.

The tribunal issued an order after a hearing on Parent's motion to compel production of Minor's educational records, including a video of the October 16, 2024, disciplinary incident at School, directing School make the video footage of the October 16, 2024, incident available for review by Parent at the Lincoln Parish Sheriff's Office (where it was located) or at a location mutually agreeable by the parties.¹¹ Parent alleged the video footage of the October 16, 2024, incident had been "altered" or "tampered with."¹²

The due process hearing commenced on July 21, 2025, and Parent and counsel for School District made opening statements. Parent and Minor testified. Counsel for School District conducted a cross-examination of Parent, and Parent provided redirect testimony. Counsel for School District did not conduct a cross-examination of Minor. Parent also called School District's Student Support Services Director as a witness.¹³ Parent offered one documentary exhibit, S-22, which was listed on School District's list of exhibits. The document was admitted into evidence, with the consent of School District's counsel, and marked as Joint Exhibit 22 (J-22). Parent attempted to offer numerous other exhibits as evidence, which were objected to by School District's counsel on the basis that those documents were not provided to School District nor listed by Parent on any list of exhibits. School District's objections were sustained pursuant to the provisions of Bulletin 1706, Section 512(A)(3).

Parent's cross-examination of School District's Student Support Services Director continued until the hearing adjourned for the day on July 21, 2025. Parent resumed her cross-examination of School District's Student Support Services Director when the due process

¹¹ See March 19, 2025, *Order on Parent's Motion to Compel Discovery*.

¹² No video footage was admitted into evidence at the due process hearing; therefore, it is not necessary that the tribunal address this issue any further.

¹³ Although Parent never provided School District's counsel or this tribunal with any list of witnesses expected to be called to testify at the hearing pursuant to the prehearing order and federal regulations, Parent was allowed to call School District's witness on cross-examination.

hearing resumed on July 22, 2025. During her cross-examination, Parent became visibly upset at the evidentiary rulings of this tribunal and disconnected from the Zoom due process hearing shortly before 11:22 a.m. The tribunal waited approximately 30 minutes to give Parent an opportunity to rejoin the due process hearing. Parent never rejoined the due process hearing. The tribunal recessed the hearing at 11:52 a.m. for a lunch break and reconvened the matter at approximately 1:00 p.m.

A representative with the Division of Administrative Law's Clerk's office, as well as School District's counsel, informed the tribunal that Parent had not contacted them regarding being involuntarily disconnected from the hearing or trying to reconnect to participate in the hearing.¹⁴

The due process hearing of Minor resumed on July 22, 2025, shortly after 1:00 p.m., and counsel for School District conducted a direct examination of School District's Student Support Services Director. Counsel for School District offered into evidence the following exhibits: SD-4, SD-6, SD-8, SD-10, SD-12, J-22 (which was previously admitted during Parent's presentation of her case), SD-29, SD-34, SD-36, SD-37, and SD-39 (rebuttal evidence in response to Parent's testimony regarding final grades for Minor for 2024-2025 school year). School District's documents were admitted into evidence.

Counsel for School District rested its case and made closing arguments. The record was closed, and the matter was taken under advisement. Due to a delay in receiving the certified hearing transcript, the record was reopened by order issued August 18, 2025. The parties were given until September 3, 2025, at 4:30 p.m., to file post-hearing memoranda. Post-hearing

¹⁴ The tribunal made similar inquiries at the commencement of the due process hearings for the other Minors of Parent on July 23, 2025, July 24, 2025, and July 25, 2025. Parent did not call in to participate in the above-captioned proceeding or in the hearings scheduled for her Minors in related matters scheduled for hearing after conclusion of the due process hearing in the above-captioned matter and no notice was received from the Division of Administrative Law's Clerk's office that Parent was having difficulty joining the hearing.

memoranda were timely filed by Parent and School District. The record closed on September 3, 2025, at 4:31 p.m., and the matter was taken under advisement.

FINDINGS OF FACT

Parent is Minor's biological mother and legal guardian.¹⁵ School District is the local education agency that has the responsibility of providing Minor with FAPE.¹⁶ Minor was enrolled at School during the 2023-2024 and 2024-2025 academic school years.¹⁷ School District identified Minor's primary exceptionality as other health impairments (OHI), with a medical diagnosis of attention deficit/hyperactivity disorder (ADHD), Autism, and Amblyopia.¹⁸ Minor is a student with a disability under IDEA residing in School District.¹⁹ Minor is also in the gifted program at School District.²⁰ Minor was eligible to receive academic (cognitive or enrichment) and behavioral development services, including critical thinking, science, technology, engineering, mathematics, creativity, and adapted educational services.²¹

September 2, 2022, IEP

An IEP meeting was held on September 2, 2022.²² Minor was 11 years old and in the sixth grade.²³ The IEP team included the following individuals: Parent, Special Education Teachers, Regular Education Teachers, School Nurse, and representatives from the Office of Dispute Resolution.²⁴ School District proposed changing and/or updating Minor's goals and objectives to support continued growth across the curriculum/environment.²⁵

¹⁵ Testimony of Parent, Transcript Hearing Day 1, p. 84.

¹⁶ Parent's due process hearing requests, as amended and consolidated.

¹⁷ *Id.*

¹⁸ SD-10, p. 11.

¹⁹ *Id.*

²⁰ *Id.*

²¹ SD-10, pp. 12-15.

²² SD-10.

²³ *Id.* at p. 12.

²⁴ *Id.*

²⁵ SD-10, p. 8.

The IEP noted that Minor participated in the gifted program two times per week and completed all goals listed in the IEP.²⁶ For each five-day school week, Minor qualified for 90 minutes of special education instruction in a group classroom setting and five minutes of special education instruction in an individual setting.²⁷ The IEP reflected that Minor consistently performed at or above grade level for math, English and language arts, science, and social studies, and that Minor was expected to continue to make progress in the general education curriculum with the supports provided.²⁸

The IEP included instructional plans and goals for Minor in creative/technology, social emotional/behavior, and higher-order thinking.²⁹ Minor was noted to have completed all goals from his previous IEP in the area of higher-order thinking and creative/technology.³⁰ The IEP noted that Minor was expected to continue to make progress in the general education curriculum with the supports provided.³¹

Academic goals were set for Minor to complete at least 20 activities that were designed to further develop his skills in mathematical reasoning, scientific reasoning, problem solving, logical reasoning, budgeting, and research projects.³²

In the area of behavior, the IEP noted that Minor was unable to recognize or assess behaviors concerning himself, peers, and teachers.³³ The IEP described only one instance of a behavioral conflict with another student.³⁴ Goals were set for Minor to be able to manage

²⁶ SD-10, p. 23.

²⁷ SD-10, p. 15.

²⁸ SD-10, p. 12.

²⁹ SD-10, pp. 13-15.

³⁰ *Id.*

³¹ *Id.*

³² SD-10, p. 14.

³³ SD-10, pp. 14-15.

³⁴ SD-10, p. 14.

conflicts with teachers and peers on a weekly basis four to five times per week, which would be measured and documented by teacher observation and a behavior checklist.³⁵

The IEP team previously recommended that Minor be given extended time to complete assignments and tests in both the classroom and online settings.³⁶ The IEP team recommended that the extended time be removed due to Minor's successful performance in the classroom.³⁷ The IEP team recommended that Minor complete state testing in a small group setting.³⁸ The IEP team recommended special minutes be given to check in with Minor and his teachers regarding his social goals, and teachers who work with Minor be given a copy of his accommodations, social goals, health plan, and social checklist.³⁹

School Nurse was given Minor's Individualized Healthcare Plan, which confirmed his medical diagnosis of ADHD and his prescription use of Focalin.⁴⁰ The plan detailed Minor's optical issues, including future appointments, and it noted Minor receiving applied behavioral analysis (ABA) therapy at a third-party service provider.⁴¹

The IEP was signed by all participating team members and Parent was provided and signed a copy of the IEP from September 2, 2022.⁴²

August 25, 2023, Triennial Reevaluation Review

A Triennial Reevaluation Review was performed by School District on Minor beginning on August 17, 2023, and was disseminated on August 25, 2023.⁴³ The reevaluation was coordinated by School District's Psychologist⁴⁴ and was a follow-up to Minor's previous

³⁵ *Id.*

³⁶ SD-10, p. 21.

³⁷ *Id.*

³⁸ SD-10, p. 22.

³⁹ SD-10, p. 24.

⁴⁰ SD-10, p. 31.

⁴¹ *Id.*

⁴² SD-10, pp. 33-34.

⁴³ SD-12.

⁴⁴ *Id.* at p. 1.

reevaluation disseminated on September 2, 2020.⁴⁵ At the time of the review, Minor was in seventh grade and was 12 years old.⁴⁶ The review confirmed that Minor continued to qualify for special education services under the exceptionality of OHI due to his deficits in attention and executive functioning skills reflective of his diagnoses of ADHD and Autism.⁴⁷ Minor's diagnosis of Amblyopia was also noted.⁴⁸ The review indicated that Minor continued to qualify for special education services under the secondary exceptionality of Gifted.⁴⁹

Minor's Regular Education Teachers and Gifted Teacher were interviewed in connection with the reevaluation.⁵⁰ Minor was reported to be performing at ninth grade levels for reading and written language and at an eighth grade level for math.⁵¹ For those subjects, Minor was reported to be achieving his IEP goals and was not currently using any accommodations in the classroom.⁵² Minor's Regular Education Teachers agreed with his current classification and reported that Minor did not need assistive technology.⁵³ Minor's Regular Education Teachers reported Minor's classroom behavior as good.⁵⁴

Minor's Gifted Teacher reported that Minor's performance towards the achievement of his IEP goals was sufficient, and she noted his strengths in reading, science, math, and social studies.⁵⁵ Minor's Gifted Teacher indicated Minor can be argumentative with fellow students.⁵⁶ Minor's Gifted Teacher agreed with his current classification and reported that his classroom behavior was excellent.⁵⁷

⁴⁵ SD-12, pp. 6-33.

⁴⁶ SD-12, pp. 1-2.

⁴⁷ SD-12, p. 1.

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ SD-12, p. 2.

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ SD-12, p. 2.

⁵⁶ *Id.*

⁵⁷ *Id.*

Minor's September 2, 2022, IEP addressed and reevaluated Minor's progress and goals in two academic areas (cognitive or enrichment) and one social goal.⁵⁸ Minor's academic goals included completing at least 20 activities that were designed to further develop his skills in mathematical reasoning, scientific reasoning, problem solving, and logical reasoning, as well as completing at least four activities that would enhance his creativity, research skills, and problem-solving skills.⁵⁹ Minor's social goal was managing conflicts with teachers and peers on a weekly basis on 4-5 days per week.⁶⁰

The reevaluation noted that, according to his progress reports, Minor had made sufficient progress towards his academic and social goals.⁶¹ Minor's attendance was considered satisfactory, his grades were passing in all classes, Minor passed his most recent hearing and vision screenings, and Minor was noted to have a health plan that addresses his medical diagnoses.⁶² The reevaluation review stressed that although Minor had a social goal on his IEP, Minor's behavior was not a concern according to his teachers.⁶³

Parent was interviewed during the reevaluation and reported Minor's father no longer lived with the family as they were going through a divorce.⁶⁴ Parent reported that Minor had made progress since his last evaluation, as Minor is more patient and has socially adapted better in the classroom.⁶⁵ Parent reported Minor's strengths as academics and problem-solving skills, while his weaknesses are in physical activity.⁶⁶ Parent reported that Minor continued to receive ABA therapy from a third party provider twice a week and attended counseling with a third party

⁵⁸ SD-12, p. 3.

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ *Id.*

⁶⁴ SD-12, p. 4.

⁶⁵ *Id.*

⁶⁶ *Id.*

provider once per week.⁶⁷ Parent indicated that she desired Minor to continue receiving special education services.⁶⁸

Based on the information collected from Minor's Regular and Gifted Teachers, as well as feedback from Parent, no recommendations were made for changing Minor's IEP and related services from the previous evaluation.⁶⁹

August 26, 2024, IEP

An IEP meeting was held on August 26, 2024.⁷⁰ Minor was in eighth grade and was 13 years old.⁷¹ The IEP meeting was attended by Minor's Regular Education Teachers, Special Education Teacher, School Nurse, and Officially Designated Representatives.⁷² Parent was sent notice of the August 26, 2024, IEP meeting, but did not attend the August 26, 2024, IEP meeting.⁷³ Parent was emailed a Prior Written Notice (PWN) by School District on August 12, 2024, and was given alternative dates and times if Parent could not attend the IEP scheduled for August 26, 2024.⁷⁴ Parent was sent follow-up notices via email on August 15, 2024, and August 22, 2024, inviting Parent to participate in the IEP meeting virtually⁷⁵ (as Parent was prohibited by court order from being on School premises).⁷⁶ Parent did not respond to any of the notices sent to her by School District.⁷⁷

The IEP revealed that Minor's most recent evaluation and IEP were conducted in 2023 and stated that he still qualified for special education services under the exceptionality of OHI due to his deficits in attention and executive functioning skills, as well as qualifying for special

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ J-22, p. 1.

⁷¹ *Id.*

⁷² J-22, p. 15.

⁷³ J-22, p. 9.

⁷⁴ J-22, p. 4 and pp. 5-8.

⁷⁵ J-22; testimony of Parent, Transcript Hearing Day 1, p. 95.

⁷⁶ Testimony of Parent, Transcript Hearing Day 1, p. 88.

⁷⁷ J-22, p. 9.

services under the gifted program.⁷⁸ Minor's progress was noted in the general education curriculum as well as the gifted program with the current supports provided.⁷⁹

Minor was noted to be a "great student" in the gifted enrichment pullout session for critical thinking.⁸⁰ Minor was noted to participate in class discussions, worked hard in the classroom, and was a "pleasure to be around."⁸¹ The IEP showed that Minor has had three years of minimal behavior issues with monitoring from teachers.⁸²

An academic goal for Minor to complete was at least 20 critical thinking activities demonstrating problem solving skills, higher order thinking, and a variety of reasoning skills over the next 36 weeks.⁸³

Minor's behavioral weaknesses include not using self-regulation strategies and acting impulsively and angrily which interfered with his ability to concentrate and complete assignments.⁸⁴ Minor's behavior data charts reflected a 90 percent success rate demonstrating his ability to interact professionally with teachers and peers.⁸⁵ A goal was set to target Minor's behavioral weaknesses by addressing antecedent behaviors.⁸⁶ Specifically, Minor was to engage in calming and self-control techniques when feeling impulsive or angry in at least four out of five situations.⁸⁷

Minor was to receive special education services in a weekly seven-minute individual session, as well as two 50-minute special education services in a group setting.⁸⁸ Minor was to

⁷⁸ J-22, p. 19.

⁷⁹ *Id.*

⁸⁰ J-22, p. 20.

⁸¹ J-22, p. 10.

⁸² J-22, p. 19.

⁸³ J-22, p. 20.

⁸⁴ J-22, p. 21.

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ J-22, p. 25.

receive special education services in the inclusion setting, as well as special class minutes in the gifted program to work towards the goals listed in the instructional plan.⁸⁹

Parent was provided with and received a copy of Minor's August 26, 2024, IEP.⁹⁰

Disciplinary Incidents

On October 16, 2024, Minor approached a School District representative requesting a copy of suspension paperwork from a previous incident where a recording device was located on Minor's person.⁹¹ School District representative questioned whether Minor had a recording device on his person.⁹² Minor stated he had a legal right to carry a recording device on his person at School.⁹³

Minor was escorted to the principal's office and instructed to empty his pockets but refused.⁹⁴ School District representative attempted to use a metal detector to determine whether there was a recording device on Minor.⁹⁵ Minor grabbed the metal detector, resulting in another School District representative restraining Minor to allow the search to continue.⁹⁶ Once it was determined that Minor did not have a recording device on his person, he was allowed to return to class. The incident was referred to law enforcement, who investigated the matter.⁹⁷

On January 16, 2025, Minor was observed entering multiple classrooms at School and informing teachers that he sent an email to each of them regarding Minor being sexually assaulted by School Principal on October 16, 2024.⁹⁸ School Principal contacted Minor and

⁸⁹ J-22, p. 26.

⁹⁰ Testimony of Parent, Transcript Hearing Day 1, p. 105.

⁹¹ SD-4, p. 4.

⁹² *Id.*

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ Testimony of Student Support Services Director, Transcript Hearing Day 1, pp. 252-259.

⁹⁶ SD-4, p. 4.

⁹⁷ Parent made numerous allegations in her due process hearing requests regarding violations of Minor's constitutional rights, retaliation against Parent and Minor, and sexual harassment of Minor, among others. The tribunal sustained School District's exceptions to subject matter jurisdiction, as these matters did not relate to Parent's alleged IDEA violations and were outside this tribunal's jurisdiction.

⁹⁸ SD-29, p. 1; Hearing testimony of Minor, Transcript, Day 1, pp. 189-191 and 209.

requested that Minor stop making comments about the email.⁹⁹ Law enforcement officers were called to School and Minor was subsequently arrested.¹⁰⁰

Manifest Determination Review (MDR)

On January 30, 2025, an MDR meeting was conducted.¹⁰¹ School District's MDR team included Special Education Teacher, Regular Education Teachers, School's Officially Designated Representatives, Special Education Facilitator, Special Education Coordinator, and School Counselor.¹⁰² The MDR team also included Parent, who participated virtually.¹⁰³

The MDR was held due to Minor's alleged unfounded charges against School District representatives, Minor's disrespect of authority, Minor's violations of School rules, and Minor's willful disobedience.¹⁰⁴ During the meeting, the MDR team reviewed the following: Minor's most recent IEP dated August 26, 2024, evaluation data, information regarding disciplinary offenses, video footage, statements from School District staff with personal knowledge of the incident at issue, and statement of Minor.¹⁰⁵

All members of School District's MDR team concluded that Minor's behavior exhibited on January 16, 2025, was not a cause of, or directly and substantially related to Minor's disabilities.¹⁰⁶ The MDR team determined that Minor only had a few major disciplinary issues prior to the event in question, was respectful of other students, was a model student, and had very few issues in the classroom.¹⁰⁷

School District's MDR team also concluded that Minor's behavior was not the direct result of School District's failure to implement the IEP as School District had been monitoring

⁹⁹ Testimony of Minor, Transcript Hearing Day 1, p. 209.

¹⁰⁰ Testimony of Minor, Transcript Hearing Day 1, p. 195.

¹⁰¹ SD-29, pp. 1-2.

¹⁰² SD-29, p. 2.

¹⁰³ *Id.*

¹⁰⁴ SD-29, p. 1.

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

Minor's behavior through reports sent to School teachers, and there were no major disciplinary issues.¹⁰⁸

The MDR report shows that Parent disagreed with the findings of School District's MDR team but did not offer information that indicated that Minor's behavior was caused by, directly or substantially related to his exceptionalities or that his behavior was the direct result of School's failure to implement the IEP.¹⁰⁹

As a result of the MDR, Minor was expelled from School's campus and was assigned to School District's alternative school for the remainder of the 2024-2025 school year.¹¹⁰ Parent and School District agreed that, in lieu of Minor attending the alternative school, Minor would complete the remainder of the school year at home using a virtual learning program.¹¹¹ School District Special Education teacher was to monitor Minor's progress with the virtual learning program, which included two daily calls to communicate with Minor – one for checking in to set goals and discuss any concerns and the other for checking out to review Minor's school day and provide positive reinforcement or support.¹¹²

February 11, 2025, IEP

An IEP meeting was conducted on February 11, 2025.¹¹³ The following individuals participated in the IEP meeting: IEP Facilitator, School's Officially Designated Representatives, Regular Education Teachers, Special Education Teacher, and School Nurses.¹¹⁴ Parent was notified of the date and the time of the IEP meeting and provided an opportunity to attend virtually, due to the state court order prohibiting Parent from participating in person, but neither

¹⁰⁸ SD-29, p. 2.

¹⁰⁹ *Id.*

¹¹⁰ Testimony of Student Support Services Director, Transcript Hearing Day 2, p. 116.

¹¹¹ Testimony of Parent, Transcript Hearing Day 1, p. 74; The program utilized was the *Edgenuity* program.

¹¹² SD-34, p. 20.

¹¹³ SD-34.

¹¹⁴ *Id.*, p. 12.

Parent nor Minor attended.¹¹⁵

The IEP team agreed that Minor's primary exceptionality would remain as OHI and gifted.¹¹⁶ For each five-day school-week, Minor continued to qualify for two 50-minute sessions of special education instruction and one seven-minute session of gifted services.¹¹⁷ The IEP noted Minor's strengths in all academic areas, including cognitive, fluency of speech, receptive/expressive language, and articulation.¹¹⁸ The IEP noted Minor's performance on statewide assessment tests, prior to the previous school year, showed advanced and mastery levels on all sections.¹¹⁹ The IEP indicated that Minor functions at an advanced level, and he completed gifted-level curriculum work.¹²⁰

The IEP included instructional plans and goals for Minor in the areas of critical thinking, creativity, and behavior.¹²¹ The IEP required Minor's goals to be measured by either quarterly progress reports, observations, or progress monitoring.¹²²

The IEP addressed Minor's Individualized Healthcare Plan with School Nurse and noted Minor's medical diagnosis of ADHD and Autism and that he is prescribed Focalin.¹²³ The IEP also notes Minor's history of Amblyopia and related symptoms of decreased eyesight due to abnormal visual development.¹²⁴ Minor continued to attend ABA therapy from a third-party service provider.¹²⁵

In the academic area of creativity, Minor was monitored through the use of projects, with

¹¹⁵ SD-34, pp. 4 and 10.

¹¹⁶ SD-34, p. 12.

¹¹⁷ SD-34, p. 20.

¹¹⁸ SD-34, p. 13.

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ SD-34, pp. 15-16.

¹²² SD-34, pp. 31-32.

¹²³ SD-34, p. 30.

¹²⁴ *Id.*

¹²⁵ *Id.*

a goal of completing at least four activities/projects that would enhance Minor's creativity.¹²⁶ The projects were to include areas related to science, technology, hands-on activities, engineering, and research.¹²⁷ The goal of the projects was to improve Minor's creativity skills with 95 percent accuracy.¹²⁸

In the academic area of critical thinking, Minor's goals were to complete at least 20 critical thinking activities demonstrating problem-solving skills, higher order thinking, and a variety of reasoning skills, which include various types of puzzles, games, and cooperative learning activities with 100 percent participation.¹²⁹

The IEP showed that Minor completed his goals from his previous IEP dated August 26, 2024, in the area of critical thinking and would continue to benefit from being challenged in the area of critical thinking.¹³⁰

The IEP noted that according to Minor's functional behavior assessments, Minor demonstrates strength in interacting professionally with teachers and peers, but Minor still required self-regulation strategies in situations where he feels angry or impulsive and continues to require support with behavior in the classroom setting.¹³¹ Minor's behavior needs impact his classroom performance, affecting his ability to concentrate and complete assignments.¹³²

The IEP included a Tier II Behavior Intervention Plan designed to provide support to Minor when he becomes dysregulated.¹³³ Specific intervention steps for Minor include virtual meetings with a mentor to review expectations and daily behavior-tracking.¹³⁴ Minor's meetings with his mentor would be conducted through the "google meet" program related to the virtual

¹²⁶ SD-34, p. 23.

¹²⁷ *Id.*

¹²⁸ *Id.*

¹²⁹ SD-34, p. 23.

¹³⁰ SD-34, p. 23.

¹³¹ SD-34, p. 14.

¹³² *Id.*

¹³³ SD-34, pp. 31-32.

¹³⁴ SD-34, p. 31.

learning program Minor was engaged in at home.¹³⁵ On February 18, 2025, School District sent correspondence to Parent concerning the IEP meeting and the resulting actions/plans for Minor.¹³⁶

Parent's Request for Minor's Educational Records

Parent made numerous requests for copies of Minor's educational records, including numerous requests made involving a video of the October 16, 2024, disciplinary incident at School.¹³⁷ The requests included a subpoena, which was issued by the tribunal to produce a copy of the video for Parent's review. The documents requested were all made available by School District for Parent's review.

Completion of Virtual Learning Program and Advancement to Next Grade Level

After the regular school year ended, Minor was given additional time to successfully complete the virtual learning program for the 2024-2025 school year and was promoted to the next grade level.¹³⁸

CONCLUSIONS OF LAW

Parent failed to prove Minor was denied FAPE. Parent is not entitled to any relief based upon her due process complaints, as amended and consolidated.

Burden of Proof

A school district's educational program for a child with disabilities is presumed to be appropriate.¹³⁹ As the party challenging the educational program provided by School District, Parent bears the burden of proof to rebut this presumption.¹⁴⁰ Parent must affirmatively prove her allegations that School District failed to provide FAPE to Minor in the following ways:

¹³⁵ *Id.*

¹³⁶ SD-9, p. 12.

¹³⁷ Request for *Subpoena Duces Tecum* filed December 11, 2024.

¹³⁸ Testimony of Student Support Services Director, Transcript Hearing Day 2, pp. 40-41.

¹³⁹ *White ex rel. White v. Ascension Par. Sch. Bd.*, 343 F.3d 373, 377 (5th Cir. 2003).

¹⁴⁰ *Schaffer ex rel. Schaffer v. Weast*, 546 U.S. 49 (2005).

1. Failing to design Minor's IEPs in a way that was reasonably calculated to provide an educational benefit by meeting Minor's unique needs and failing to implement services under the IEPs in a manner allowing Minor to make the academic, social, and behavioral progress of which Minor was capable of because:
 - a. The IEPs failed to include essential related services to develop goals and provide sufficient behavioral supports for Minor;
 - b. School District failed to develop annual IEPs in a timely manner;
 - c. The IEP resulting from the August 26, 2024, IEP meeting was developed without approval by Parent, who did not consent to the IEP meeting, the IEP was not sent to Parent, the IEP did not include Parent's concerns; and
 - d. Failure to educate Minor in the least restrictive environment.
2. Failing to timely implement services and accommodations provided for in the IEP;
 - a. Specifically, Parent does not believe Minor received services because School District failed to provide Parent access to Minor's educational records.
3. Failing to provide Parent with a sufficient PWN, including:
 - a. Failing to provide PWN within a reasonable time that School District was going to submit the August 26, 2024, IEP without parental approval; and
 - b. Failing to provide Parent with access to logs and other documents which show Minor's receipt of services and other educational records.
4. Failing to include Parent as an equal team member in connection Minor's education, including preventing Parent from participating as a member of the IEP team.
5. Failing to timely perform a triennial reevaluation of Minor; and
6. Failing to follow correct procedures in changing the educational placement of Minor without Parent's consent.¹⁴¹

¹⁴¹ Parent made numerous allegations concerning harassment, retaliation, violation of constitutional rights, and criminal behavior by School District in connection with the October 16, 2024, incident at School where a School official conducted a search of Minor's person. The tribunal previously ruled on an exception raised by School District that such matters fall outside the jurisdiction of this tribunal. Therefore, they will not be further addressed in

General Discussion of Individuals with Disabilities Education Act (IDEA)

IDEA provides every disabled child with the right to FAPE¹⁴² designed to meet the student's specialized needs.¹⁴³ A school provides FAPE by creating an IEP for a child.¹⁴⁴ Before creating the IEP, the School District must conduct an initial evaluation to determine a student's eligibility and to identify a student's educational needs.¹⁴⁵ An IEP is created by a team comprised of the student's parents, at least one of the student's regular teachers, at least one of the student's special education teachers, a school board representative, an individual who can interpret evaluation results (who may be either one of the teachers or the School District representative) and, if appropriate, the student.¹⁴⁶ The IEP must outline the student's current educational status, establish annual goals, and detail the special educational services and other aids the student will be provided.¹⁴⁷ It also must provide, among other things, "the projected date for the beginning of the services and modifications . . . and the anticipated frequency, location, and duration of those services and modifications."¹⁴⁸

Rowley Standard

In *Board of Education of Hendrick Hudson Central School District, Westchester County v. Rowley*,¹⁴⁹ the Supreme Court of the United States (Supreme Court) defined FAPE and established the following two-pronged test to be used to determine if FAPE is being provided:

this *Decision and Order* other than in relation to the change of placement resulting from this incident and other disciplinary issues.

¹⁴² Congress defines FAPE as "special education and related services that --(A) have been provided at public expense, under public supervision and direction, and without charge; (B) meet the standards of the State educational agency; (C) include an appropriate . . . education in the State involved; and (D) are provided in conformity with the individualized education program required under section 1414(d) of this title." 20 U.S.C. § 1401(9).

¹⁴³ See 20 U.S.C. § 1400(d)(1)(A).

¹⁴⁴ 20 U.S.C. § 1414(d)(1)(A).

¹⁴⁵ 20 U.S.C. §§ 1414(a)(1)(A)-(C).

¹⁴⁶ 20 U.S.C. § 1414(d)(1)(B).

¹⁴⁷ 20 U.S.C. § 1414(d)(1)(A)(i).

¹⁴⁸ 20 U.S.C. § 1414(d)(1)(A)(i)(VII).

¹⁴⁹ 458 U.S. 176 (1982). See *J.L. v Mercer Island Sch. Dist.*, 592 F.3d 938, 951 (9th Cir. 2010) (Although IDEA has been amended multiple times since 1982, *Rowley* is still controlling.) The Supreme Court's unanimous decision in *Endrew F. ex rel. Joseph F. v. Douglas Cnty. Sch. Dist. RE-I*, 137 S. Ct. 988 (2017), did not overturn *Rowley*.

(1) has the State complied with the procedures set forth in IDEA and (2) is the IEP reasonably calculated to enable the child to receive educational benefits?¹⁵⁰ If these requirements are met, then compliance with IDEA's obligations has been met.¹⁵¹

The *Rowley* two-pronged inquiry is used to determine whether a public agency, such as School District, has provided FAPE under IDEA to a student with a disability.

Procedural Compliance: The first *Rowley* prong was met by School District

To satisfy the first prong of the *Rowley* test, School District must comply with the procedures set forth in IDEA. A violation of the procedural requirements of IDEA amounts to a denial of FAPE if it impedes the child's right to FAPE, significantly impedes a parent's opportunity to participate in the decision-making process regarding the provision of FAPE to the child, or causes a deprivation of educational benefits.¹⁵²

IDEA is designed to establish a cooperative process between parents and schools.¹⁵³ The central vehicle for this collaboration is the IEP process. State educational authorities must identify and evaluate disabled children,¹⁵⁴ develop an IEP,¹⁵⁵ and review the IEP at least once per year.¹⁵⁶ Each IEP must include an assessment of the student's current educational performance, articulate measurable educational goals, and specify the nature of the special services that the school will provide.¹⁵⁷ Parents must be informed about and consent to their child's evaluations¹⁵⁸ and be included as members of the IEP Team.¹⁵⁹ Parents have the right to examine any records relating to their child and to obtain an independent educational evaluation

¹⁵⁰ *Rowley*, 458 U.S. at 206-207.

¹⁵¹ *Rowley*, 458 U.S. at 207.

¹⁵² 20 U.S.C. § 1415(f)(3)(E)(ii).

¹⁵³ *Rowley*, 458 U.S. at 207.

¹⁵⁴ 20 U.S.C. §§ 1414(a)-(c).

¹⁵⁵ 20 U.S.C. § 1414(d)(2).

¹⁵⁶ 20 U.S.C. § 1414(d)(4).

¹⁵⁷ 20 U.S.C. § 1414(d)(1)(A).

¹⁵⁸ 20 U.S.C. § 1414(c)(3).

¹⁵⁹ 20 U.S.C. § 1414(d)(1)(B).

of the child.¹⁶⁰ Parents must be given prior written notice of any changes in an IEP¹⁶¹ and be notified in writing of the procedural safeguards available under IDEA.¹⁶² If parents believe an IEP is inappropriate, then they may seek an administrative “impartial due process hearing.”¹⁶³

A key procedural protection of state and federal special education law is that a school district must provide prior written notice to parents at a reasonable time before it initiates, refuses to initiate, or changes a student’s educational placement or a provision of FAPE to the student.¹⁶⁴

Parent contended School District failed to provide FAPE to Minor because it did not provide Parent with copies of all IEPs; it held “illegal” IEP meetings without her consent and participation; it failed to timely hold a triennial evaluation of Minor; it failed to include Parent as an equal team member; it failed to develop and implement services under IEPs to provide Minor with sufficient educational and behavioral goals; and it refused to provide Parent with access to educational records showing Minor received the services required by the IEPs. Parent did not present any evidence that a procedural violation occurred or that she was denied access to educational records and documents showing Minor received services required by Minor’s IEPs.

(1) Prior Written Notice to Parent of August 26, 2024, IEP Meeting

IDEA requires parents be included as members of the IEP team.¹⁶⁵ Parent failed to prove School District did not provide her notice of and the right to participate in the August 26, 2024, IEP meeting. The August 26, 2024, IEP shows Parent was emailed a PWN by School District of the IEP meeting on August 12, 2024, and was given alternative dates and times if Parent could not attend the IEP meeting scheduled for August 26, 2024. Parent was sent follow-up notices via email on August 15, 2024, and August 22, 2024, inviting Parent to participate in the IEP meeting

¹⁶⁰ 20 U.S.C. § 1415(b)(1).

¹⁶¹ 20 U.S.C. § 1415(b)(3).

¹⁶² 20 U.S.C. § 1415(d)(1).

¹⁶³ 20 U.S.C. § 1415(f).

¹⁶⁴ 20 U.S.C. § 1415(b)(3); 34 C.F.R. § 300.503(a) (2023); LAC 28:XLIII.504.A.

¹⁶⁵ 20 U.S.C. § 1414(d)(1)(B).

virtually (as Parent was prohibited by court order from being on School premises). Parent did not respond to any of the notices sent to her by School District.

IDEA does not require that parental preferences be implemented in an IEP.¹⁶⁶ Parent did not provide any legal support for her position that School District held an “illegal” IEP meeting on August 26, 2024, or that she was not provided a PWN of the date and time of the IEP meeting and her option to participate virtually. The evidence shows that Parent was sent multiple notices of the August 26, 2024, IEP meeting but chose not to participate.

(2) School District’s alleged failure to provide Minor FAPE by not providing Parent access to educational records showing Minor received services provided for by the IEPs

Parent did not present any credible evidence that School District denied Parent access to Minor’s educational records. Without proof that Parent was denied access to these records, Parent did not prove that Minor was denied FAPE.

(3) August 2023 Reevaluation Review

Parent failed to prove that School District failed to timely perform and complete a triennial reevaluation of Minor. The evidence clearly shows that a reevaluation review commenced on August 21, 2023, and was disseminated to all parties, including Parent, on August 25, 2023. The reevaluation review was a follow-up to a reevaluation performed by School District three years prior on September 2, 2020.

Parent was interviewed in connection with the reevaluation review, as was Minor’s Special Education and Regular Education Teachers. Parent’s concerns and impressions of Minor’s progress were noted in the review. Parent presented no evidence disputing School District’s evidence concerning the reevaluation performed of Minor. A preponderance of the evidence supports the conclusion that School District properly and timely conducted a triennial

¹⁶⁶ *Bradley ex rel. Bradley v. Arkansas Dep’t of Educ.*, 443 F.3d 965, 975 (8th Cir. 2006).

reevaluation review.

Substantive Compliance: The second *Rowley* prong was met by School District.

An IEP must be reasonably calculated to enable a student to make progress in light of the child's circumstances.¹⁶⁷ Parent did not provide any evidence that Minor's IEPs were not reasonably calculated to enable Minor to make progress in light of Minor's circumstances. Parent failed to show the IEPs were not adequately designed to address Minor's unique needs. Parent failed to show that School District refused to provide services required by the IEPs, including Minor's educational records.

In *Endrew F. ex rel. Joseph F. v. Douglas County School District*, the Supreme Court refined the *Rowley* standard for FAPE to mean that "a school must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances."¹⁶⁸ The Supreme Court has held that "the essential function of an IEP is to set out a plan for pursuing academic and functional advancement."¹⁶⁹ An IEP is reasonably calculated to provide a meaningful educational benefit if a multi-factor analysis indicates "(1) the program is individualized on the basis of the student's assessment and performance, (2) the program is administered in the least restrictive environment, (3) the services are provided in a coordinated and collaborative manner by the key 'stakeholders,' and (4) positive academic and non-academic benefits are demonstrated."¹⁷⁰ FAPE "need not be the best possible one, nor one that will maximize the child's educational potential; rather, it need only be an education that is specifically designed to meet the child's unique needs, supported by services that will permit [the

¹⁶⁷ *Endrew F. v. Douglas Cty. Sch. Dist. RE-1*, 137 S. Ct. 988, 999, and 1002 (2017).

¹⁶⁸ *Endrew F. v. Douglas Cty. Sch. Dist. RE-1*, 137 S. Ct. 988, 999 (2017).

¹⁶⁹ *Endrew F.*, 137 S. Ct. at 992.

¹⁷⁰ *Cypress-Fairbanks Indep. Sch. Dist. v. Michael F.*, 118 F.3d 245, 253 (5th Cir. 1997).

child] to benefit from the instruction.”¹⁷¹ IDEA does not require that parental preferences be implemented in an IEP.¹⁷²

In determining whether the second prong of the *Rowley* inquiry has been satisfied, the United States Fifth Circuit Court of Appeals in *Cypress-Fairbanks Independent School District v. Michael F. by Barry F.*¹⁷³ established a four-factor test: (1) is the program individualized on the basis of the student’s assessment and performance; (2) is the program administered in the least restrictive environment; (3) are the services provided in a coordinated and collaborative manner by the key “stakeholders;” and (4) are positive academic and non-academic benefits demonstrated?¹⁷⁴ The Fifth Circuit has treated the factors “as indicators of when an IEP meets the requirements of IDEA” but has not specified how the factors should be weighed.¹⁷⁵ The factors are a guide in a fact-intensive inquiry of whether an IEP provided educational benefit.¹⁷⁶ Where a “party is challenging the implementation of the IEP, as Parent is in this case, that party must show more than a *de minimis* failure to implement all elements of that IEP, and, instead, must demonstrate that the school or other authorities failed to implement substantial or significant provisions of the IEP.”¹⁷⁷

Change of Placement/MDR

If a child with a disability misbehaves in school, IDEA provides detailed procedures that the Local Education Authority (LEA) must follow to suspend or expel him.¹⁷⁸ School personnel

¹⁷¹ *Adam J. ex rel. Robert J. v. Keller Indep. Sch. Dist.*, 328 F.3d 804, 808 (5th Cir. 2003) (emphasis omitted) (citations omitted).

¹⁷² *Bradley ex rel. Bradley v. Arkansas Dep’t of Educ.*, 443 F.3d 965, 975 (8th Cir. 2006).

¹⁷³ *Cypress-Fairbanks Indep. Sch. Dist. v. Michael F. by Barry F.*, 118 F.3d 245 (5th Cir. 1997).

¹⁷⁴ *Id.* at 253.

¹⁷⁵ See *Richardson Indep. Sch. Dist. v. Michael Z.*, 580 F.3d 286, 293 (5th Cir. 2009); *Cypress-Fairbanks*, 118 F.3d at 245 (5th Cir. 1997). See also *Klein Indep. Sch. Dist. v. Hovem*, 690 F.3d 390, 396 (5th Cir. 2012).

¹⁷⁶ *Richardson Indep. Sch. Dist. v. Michael Z.*, *supra*.

¹⁷⁷ *Houston Indep. Sch. Dist. v. Bobby R.*, 200 F.3d 341, 349 (5th Cir. 2000); *Houston Indep. Sch. Dist. v. V.P. ex rel. Juan P.*, 582 F.3d 576, 587 (5th Cir. 2009); see *B.B. v. Catahoula Par. Sch. Dist.*, CIV A., 11-1451, 2013 WL 5524976, at *12 (W.D. La. Oct. 3, 2013).

¹⁷⁸ See generally LAC 28:XLIII.530.

have unilateral power to suspend a child with a disability for up to ten days as they would a non-disabled child.¹⁷⁹

When the placement of a student with a disability is changed because of a violation of a code of student conduct, a “manifestation determination” must be made within ten days to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability.¹⁸⁰ If the local educational agency, the parent, and relevant members of the IEP Team determine that either (a) the conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability, or (b) the conduct in question was the direct result of the LEA’s failure to implement the IEP, the conduct shall be determined to be a manifestation of the child’s disability.¹⁸¹ If the conduct is determined to be a manifestation of the child’s disability, the child must be returned to the placement from which he was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan, except in special circumstances.¹⁸²

On January 16, 2025, Minor was observed entering multiple classrooms at School and informing teachers that he sent an email to each of them regarding Minor being sexually assaulted by School Principal on October 16, 2024. The conduct resulted in Minor’s arrest by law enforcement officials. On January 30, 2025, the MDR was conducted. School District’s MDR team determined that Minor’s conduct was not a manifestation of Minor’s disability. School District’s MDR team concluded that Minor’s conduct was not caused by or had a direct and substantial relationship to Minor’s disability and was not the direct result of School District’s

¹⁷⁹ 20 U.S.C. § 1415(k)(1)(B) (2012); and LAC 28:XLIII.530.

¹⁸⁰ LAC 28: XLIII.530.F.

¹⁸¹ LAC 28:XLIII.530.E.1; *see also* 20 U.S.C. § 1415(k)(1)(E)(i) (2012).

¹⁸² LAC 28:XLIII.530.F.2. In special circumstances, the school personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student’s disability. These are the special circumstances: student possesses drugs or weapons or inflicts serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the state agency or an LEA. LAC 28: XLIII.530.G.

failure to implement the IEPs.

Parent participated in the MDR meeting, but the record is devoid of any evidence Parent presented to establish that Minor's behavior was a result of his disability. School District's MDR team reviewed the Minor's most recent IEP, evaluation data, information regarding disciplinary offenses, video footage, statements from School District staff, and the statement of Minor. School District reviewed Minor's behavioral issues and determined there were no major behavioral incidents prior to the January 16, 2025, incident.

There is no record of Parent presenting any evidence to rebut the information relied upon by the MDR team. A preponderance of the evidence supports the conclusion that School District correctly determined that Minor's conduct in connection with the January 16, 2025, disciplinary incident was not a manifestation of his disability.

(1) Cypress-Fairbanks Factor One

Parent offered no evidence that Minor's IEPs were not individualized based on Minor's assessed abilities and performance. Parent participated in some of the IEP meetings and was provided notice of the date and time of all IEP meetings, even those she did not attend. Parent was provided copies of the IEPs reflecting Parent's concerns and requests regarding goals for Minor.

(2) Cypress-Fairbanks Factor Two

Parent failed to prove Minor's educational program was not provided in the least restrictive environment. IDEA requires that, "[t]o the maximum extent appropriate, children with disabilities . . . are educated with children who are not disabled."¹⁸³ The requirement that a child be educated in the "general education curriculum" reflects the notion that disabled children

¹⁸³ 20 U.S.C. § 1412(a)(5)(A).

must be placed in the “least restrictive environment” in which they can receive FAPE.¹⁸⁴ The court in *Daniel R.R. v. State Bd. of Educ.* held, “[W]hen education in a regular classroom cannot meet the handicapped child’s unique needs, the presumption in favor of mainstreaming is overcome and the school need not place the child in regular education.”¹⁸⁵

Minor’s IEPs show that regular classroom time accounted for the vast majority of each of Minor’s school days. The IEP team agreed this placement served Minor’s best interests and that it was the least restrictive environment for Minor. Parent did not provide any evidence to contradict the decision. Parent did not meet her burden to prove that Minor’s educational program was not provided in the least restrictive environment.

(3) Cypress-Fairbanks Factor Three

Parent did not prove that services were not sufficiently provided in a coordinated and collaborative manner by key stakeholders to Minor. To demonstrate lack of coordination among key stakeholders, a party must “show more than a *de minimis* failure to implement all elements of that IEP, and, instead, must demonstrate that the school board or other authorities failed to implement substantial or significant provisions of the IEP.”¹⁸⁶ Coordination and collaboration requires participants to communicate outside of IEP meetings to ensure the child’s needs are met.¹⁸⁷ It also requires key stakeholders to receive adequate training in order to implement the IEP properly.¹⁸⁸

Parent did not provide any evidence to show School District failed to implement

¹⁸⁴ *M.S. ex rel. Simchick v. Fairfax Cty. Sch. Bd.*, 553 F.3d 315, 327 (4th Cir. 2009); *DeVries By DeBlaay v. Fairfax Cty. Sch. Bd.*, 882 F.2d 876, 878 (4th Cir. 1989) (“Mainstreaming of handicapped children into regular school programs where they might have opportunities to study and to socialize with non handicapped children is not only a laudable goal but is also a requirement of the Act”).

¹⁸⁵ *Daniel R.R. v. State Bd. of Educ.*, 874 F.2d 1036, 1045 (5th Cir. 1989).

¹⁸⁶ *See Houston Indep. Sch. Dist. v. Bobby R.*, 200 F.3d 341, 349 (5th Cir. 2000), *D.B. v. Houston Indep. Sch. Dist.*, No. Civ. A. H-06-354, 2007 WL 2947443 at *10 (S.D. Tex. Sept. 29, 2007).

¹⁸⁷ *Houston Indep. Sch. Dist. v. V.P. ex rel. Juan P.*, 582 F.3d 576, 587 (5th Cir. 2009); *see B.B. v. Catahoula Par. Sch. Dist.*, CIV A., 11-1451, 2013 WL 5524976, at *12 (W.D. La. Oct. 3, 2013).

¹⁸⁸ *Houston Indep. Sch. Dist. v. V.P. ex rel. Juan P.*, at 588.

substantial or significant provisions of Minor’s IEPs. Parent did not prove that services were not sufficiently provided in a coordinated and collaborative manner by key stakeholders to Minor. Parent’s allegations that she was not included as a key stakeholder in IEP meetings are not supported by the evidence. To the contrary, Parent attended some IEP meetings, as well as the reevaluation review, and was always provided the opportunity to participate in the IEP meetings, even those she did not attend.

(4) Cypress-Fairbanks Factor Four

In *Houston Independent School District v. V.P. ex rel. Juan P.*,¹⁸⁹ the Fifth Circuit described this fourth prong as “[p]erhaps one of the most critical factors.”¹⁹⁰ This factor seeks to determine “whether the student was obtaining benefits from the IEP.”¹⁹¹ The educational benefit “cannot be a mere modicum or *de minimus*; rather, an IEP must be likely to produce progress, not regression or trivial educational advancement.”¹⁹² In *Bobby R.*, the court held that it is not necessary for a child to improve in every area to receive an educational benefit; rather, a child’s improvement must be more than trivial.¹⁹³ In *Andrew F.*,¹⁹⁴ the Supreme Court stated that “to meet its substantive obligation under IDEA, a school must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”¹⁹⁵ The adequacy of a given IEP turns on the unique circumstances of the child for whom it was created.¹⁹⁶

Parent did not present any evidence that Minor has not achieved positive academic and non-academic benefits. Parent did not present any evidence to show that the goals outlined in

¹⁸⁹ *Houston Indep. Sch. Dist. v. V.P. ex rel. Juan P.*, 582 F. 3d 576 (5th Cir. 2009).

¹⁹⁰ *Id.* at 588.

¹⁹¹ *Id.* (citing *Cypress-Fairbanks Indep. Sch. Dist. v. Michael F. by Barry F.*, 118 F.3d 245, 252 (5th Cir. 1997)).

¹⁹² *Richardson Indep. Sch. Dist. v. Michael Z.*, 580 F. 3d 286, 292 (5th Cir. 2009) (citing *Cypress-Fairbanks*, 118 F. 3d at 248).

¹⁹³ *Bobby R.*, 200 F.3d 341 at 349-50.

¹⁹⁴ *Andrew F. ex rel. Joseph F. v. Douglas County School District RE-1*, 137 S. Ct. 988 (2017).

¹⁹⁵ *Id.* at 999.

¹⁹⁶ *Andrew F.*, 137 S. Ct. at 1001.

the IEPs were not adequately designed to address Minor's unique needs. To the contrary, the IEPs showed Minor made sufficient progress in all areas addressed in the IEPs. Minor was ultimately promoted to the next grade level after completion of the agreed-upon home virtual learning program. Parent failed to provide evidence to show that Minor did not obtain positive academic and non-academic benefits from the IEPs.

Conclusion

Parent did not prove that School failed to comply with the procedures set forth in IDEA or that School District failed to provide FAPE to Minor. Parent's due process complaint is dismissed, and Parent is not entitled to any remedies.

ORDER

IT IS ORDERED that Parent's due process complaints filed on November 18, 2024, February 17, 2025, and February 27, 2025, as amended and consolidated, alleging that School District denied Minor a free appropriate public education are **DISMISSED**.

IT IS FURTHER ORDERED that any remedies requested by Parent are **DENIED**.

Rendered and signed on September 26, 2025, in Baton Rouge, Louisiana.

Anthony J. Russo

Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

NOTICE OF TRANSMISSION OF DECISION OR ORDER









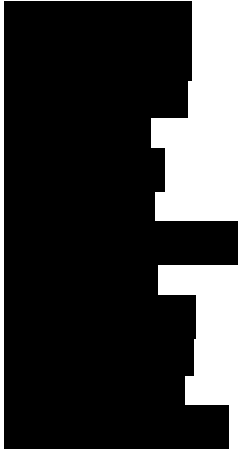




I certify that on Friday, September 26, 2025, I have sent a copy of this decision/order to all parties of this matter.

Clerk of Court
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	
School District	Lincoln Parish School District
School	
School District Student Support Services Director	Justin Barron
School District Special Education Director	Ivory Bass
School District Psychologist	
School Principal	
School Assistant Principal	
Special Education Teacher	
Gifted Teacher	
Regular Education Teachers	
School Nurses	
School District Diagnostician	
School Pathologist	
School Counselor	

IEP Facilitator

[REDACTED]

School Officially Designated Representatives

[REDACTED]

School District Superintendent

Ricky Durrett

CERTIFICATE OF SERVICE

I certify that the attached **DECISION AND ORDER** in **Docket No. 2024-53747-DOE-IDEA CONSOLIDATED WITH 2025-3489-DOE-IDEA AND 2025-4410-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on September 26, 2025.

Clerk of Court

Division of Administrative Law

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



BY CERTIFIED MAIL AND ELECTRONIC MAIL

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Carlar M. Alexander
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BY REGULAR, FIRST-CLASS MAIL

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

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-12



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

* **DOCKET NO. 2024-53752-DOE-IDEA**
* **CONSOLIDATED WITH 2025-3481-**
* **DOE-IDEA**
*
*
* **AGENCY ID. 45-H-12**
* **AGENCY ID. 45-H-22**

ORDER TERMINATING ADJUDICATION FOR FAILURE TO APPEAR

On November 18, 2024, Parent on behalf of Minor filed a *Request for Due Process Hearing*, which was assigned Docket Number 2024-53752-DOE-IDEA. On February 17, 2025, Parent filed a *Request for Due Process Hearing* as to the same Minor, which was assigned Docket Number 2025-3481-DOE-IDEA. The above-referenced matters were consolidated by order issued April 4, 2025.

Administrative Law Judge Anthony J. Russo scheduled hearings by Zoom videoconference for July 21, 2025, through July 25, 2025, commencing at 9:00 a.m. each day. Parent and counsel for School District were informed prior to the hearings and at a prehearing conference that the hearings in the due process hearing requests, as amended, filed by Parent would be held in the following sequence: (a) Docket Number 2024-53747-DOE-IDEA² (minor – ■■■); (b) the above-captioned proceedings (minor – ■■■); and (c) Docket Number 2024-53754-DOE-IDEA (minor – ■■■). The parties were informed that the hearing in the above-captioned proceedings would be held immediately after conclusion of the hearing in Docket Number 2024-53747-DOE-IDEA and that the hearing in Docket Number 2024-53754-DOE-IDEA would take place immediately after conclusion of the hearing in the above-captioned matter.

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

² This matter was consolidated with two other matters involving the same minor – 2025-3489-DOE-IDEA and 2025-4410-DOE-IDEA.

The due process hearing under docket number 2024-53747-DOE-IDEA commenced on July 21, 2025, at 9:00 a.m. Present were Parent, a self-represented litigant, and Timothy Riveria and Carlar Alexander, counsel for School District. Parent began presentation of her case under docket number 2024-53747-DOE-IDEA, and the hearing continued on July 22, 2025. During Parent's presentation of the case under docket number 2024-53747-DOE-IDEA on July 22, 2025, Parent disconnected from the Zoom videoconference hearing. The tribunal recessed for over one hour to allow Parent an opportunity to reconnect to the hearing.³ Parent failed to call back into the Zoom videoconference hearing, and counsel for School District presented its case, after which the record in docket number 2024-53747-DOE-IDEA was closed and the matter taken under advisement.

The above-captioned matter and Docket Number 2024-53754-DOE-IDEA were called for hearing at 9:00 a.m. on July 23, 2025; July 24, 2025; and July 25, 2025. Counsel for School District appeared each day the above-captioned matter, as well as Docket Number 2024-53754-DOE-IDEA, were called for hearing. Parent failed to call in to participate in the hearing in the above-captioned matter on July 23, 2025, through July 25, 2025, at 9:00 a.m., after being given an additional 15 minutes after the scheduled hearing time to appear each day.⁴ As a result, Parent's hearing request is dismissed, and the adjudication bearing the above-captioned docket number is terminated.

[SPACE INTENTIONALLY LEFT BLANK—ORDER ON NEXT PAGE]

³ The tribunal asked both the Administrative Program Specialist for the Division of Administrative Law (DAL) and counsel for School District whether Parent had contacted them during the recess in the hearing in Docket Number 2024-53747-DOE-IDEA to inform them that she was trying to reconnect to participate in the hearing. Both replied that she had not.

⁴ The same inquiry was made as described in footnote 3 above. Both counsel for School District and the DAL Administrative Program Specialist indicated that Parent had not called them since she disconnected from the hearing on July 22, 2025, to participate in the balance of that hearing or the other hearings scheduled.

ORDER

IT IS ORDERED that Parent on behalf of Minor's request for a due process hearing is **DISMISSED**, and the adjudication under docket number 2024-53752-DOE-IDEA, consolidated with docket number 2025-3481-DOE-IDEA, is **TERMINATED**.

Rendered and signed on July 30, 2025, in Baton Rouge, Louisiana.

Anthony J. Russo

Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

NOTICE OF TRANSMISSION OF DECISION OR ORDER

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




Clerk of Court

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	
School District	Lincoln Parish School District
School	

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication for Failure to Appear** in **Docket No. 2024-53752-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on July 30, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

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Ruston, LA 71270

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Louisiana Department of Education
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Louisiana Special Education Due Process Hearing

45-H-13



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2024-53754-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

AGENCY ID. 45-H-13

ORDER TERMINATING ADJUDICATION FOR FAILURE TO APPEAR

On November 18, 2024, Parent on behalf of Minor filed a *Request for Due Process Hearing*, which was assigned Docket Number 2024-53754-DOE-IDEA.

Administrative Law Judge Anthony J. Russo scheduled hearings by Zoom videoconference for July 21, 2025, through July 25, 2025, commencing at 9:00 a.m. each day. Parent and counsel for School District were informed prior to the hearings and at a prehearing conference that the hearings in the due process hearing requests, as amended, filed by Parent would be held in the following sequence: (a) Docket Number 2024-53747-DOE-IDEA² (minor – ■■■); (b) Docket Number 2024-53752-DOE-IDEA³ (minor – ■■■); and (c) the above-captioned proceedings (minor – ■■■). The parties were informed that the hearing in the above-captioned proceeding would be held immediately after conclusion of the hearings in Docket Number 2024-53747-DOE-IDEA and Docket Number 2024-53752-DOE-IDEA.

The due process hearing under docket number 2024-53747-DOE-IDEA commenced on July 21, 2025, at 9:00 a.m. Present were Parent, a self-represented litigant, and Timothy Riveria and Carlar Alexander, counsel for School District. Parent began presentation of her case under docket number 2024-53747-DOE-IDEA, and the hearing continued on July 22, 2025. During

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

² This matter was consolidated with two other matters involving the same minor – 2025-3489-DOE-IDEA and 2025-4410-DOE-IDEA.

³ This matter was consolidated with Docket Number 2025-3481-DOE-IDEA.

Parent's presentation of the case under docket number 2024-53747-DOE-IDEA on July 22, 2025, Parent disconnected from the Zoom videoconference hearing. The tribunal recessed for over one hour to allow Parent an opportunity to reconnect to the hearing.⁴ Parent failed to call back into the Zoom videoconference hearing, and counsel for School District presented its case, after which the record in docket number 2024-53747-DOE-IDEA was closed and the matter taken under advisement.

The above-captioned matter and Docket Number 2024-53752-DOE-IDEA were called for hearing at 9:00 a.m. on July 23, 2025; July 24, 2025; and July 25, 2025. Counsel for School District appeared each day the above-captioned matter, as well as Docket Number 2024-53752-DOE-IDEA, were called for hearing. Parent failed to call in to participate in the hearing in the above-captioned matter on July 23, 2025, through July 25, 2025, at 9:00 a.m., after being given an additional 15 minutes after the scheduled hearing time to appear each day.⁵ As a result, Parent's hearing request is dismissed, and the adjudication bearing the above-captioned docket number is terminated.

[SPACE INTENTIONALLY LEFT BLANK—ORDER ON NEXT PAGE]

⁴ The tribunal asked both the Administrative Program Specialist for the Division of Administrative Law (DAL) and counsel for School District whether Parent had contacted them during the recess in the hearing in Docket Number 2024-53747-DOE-IDEA to inform them that she was trying to reconnect to participate in the hearing. Both replied that she had not.

⁵ The same inquiry was made as described in footnote 3 above. Both counsel for School District and the DAL Administrative Program Specialist indicated that Parent had not called them since she disconnected from the hearing on July 22, 2025, to participate in the balance of that hearing or the other hearings scheduled.

ORDER

IT IS ORDERED that Parent on behalf of Minor's request for a due process hearing is **DISMISSED**, and the adjudication under docket number 2024-53754-DOE-IDEA is **TERMINATED**.

Rendered and signed on July 30, 2025, in Baton Rouge, Louisiana.

Anthony J. Russo

Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

NOTICE OF TRANSMISSION OF DECISION OR ORDER

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

Clerk of Court

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



School District

Lincoln Parish School District

School



CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication for Failure to Appear** in **Docket No. 2024-53754-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on July 30, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

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Carlar M. Alexander
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BY ELECTRONIC MAIL ONLY

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Louisiana Special Education Due Process Hearing

45-H-14



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹	*	DOCKET NO. 2024-54456-DOE-IDEA
	*	
IN THE MATTER OF	*	
	*	
PARENT ON BEHALF OF MINOR	*	AGENCY LOG NO. 45-H-14

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 expense² 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.

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

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

³ 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.

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

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

⁶ Testimony of Chief of Schools and Student Support.

⁷ Testimony of Chief of Schools and Student Support.

⁸ P-1 at p. 29 and P-9.

⁹ Testimony of Parent.

¹⁰ Testimony of Parent.

¹¹ Testimony of Parent.

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

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.²⁰ Louisiana Law also provides that the residence of a student is the resident of the student's parent or parents.²¹ As part of School District's admission policy,

¹² Testimony of Parent.

¹³ P-1 at p. 2.

¹⁴ *Id.* at p. 10.

¹⁵ *Id.* at p. 13.

¹⁶ *Id.* at pp. 14 and 15.

¹⁷ *Id.* at pp. 17 - 20.

¹⁸ Testimony of Parent.

¹⁹ Testimony of Chief of Schools and Student Support.

²⁰ 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.²² 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.²³

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.²⁴ Parent attested in the notarized affidavit that she and Minor reside with AD in SJP.²⁵ 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.²⁶ 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

²¹ 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*.

²² P-1 at pp. 25-28.

²³ *Id.* at pp. 27-28.

²⁴ *Id.* at pp. 2-3.

²⁵ *Id.* at p. 15.

²⁶ 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
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c/o Mr. Chris Kimball, Superintendent
1876 West Main Street
Lutcher, LA 70071

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E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-15-E



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** 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

¹ 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

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E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-16



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

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*
*
*
*

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

¹ 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
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Lutcher, LA 70071

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Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-17



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** 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

¹ 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

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Louisiana Department of Education
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Louisiana Special Education Due Process Hearing

45-H-18



Louisiana Special Education Due Process Hearing

45-H-19



STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

* DOCKET NO. 2025-1838-DOE-IDEA

*

*

IN THE MATTER OF

*

*

PARENT ON BEHALF OF MINOR

* AGENCY ID. 45-H-19

**ORDER GRANTING SCHOOL DISTRICT'S DECLINATORY EXCEPTION OF LACK
OF SUBJECT MATTER JURISDICTION**

On January 29, 2025, Parent on behalf of Minor filed a *Request for Special Education Due Process Hearing*. On February 7, 2025, School District filed a *Declinatory Exception of Lack of Subject Matter Jurisdiction (Exception)*.

Administrative Law Judge Anthony J. Russo conducted a telephone hearing on School District's *Exception* on March 17, 2025. Present for the telephone hearing were Carlar M. Alexander and Timothy Riveria, counsel of record for School District, and Parent on behalf of Minor.²

In the due process hearing request, Parent on behalf of Minor alleged School District subjected Parent and Minor to a "toxic, illegal, unsafe and retaliatory environment" and subjected them to "fear" for advocating for their rights. Parent on behalf of Minor's only request for relief or proposed solution was for School District to provide financial payments for all four of Parent's minor children, including the Minor at issue in this adjudication, to attend a school outside of School District for "the entirety of their education."

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

² Parent was ordered to file any opposition to School District's *Exception* by March 7, 2025, as per an order issued to the parties on February 12, 2025. Parent did not file a written opposition to School District's *Exception*, but Parent was allowed to make oral arguments in opposition to the *Exception* during the March 17, 2025, telephone hearing.

Attached to Parent on behalf of Minor's due process hearing request was a four-page email from Minor to School District regarding an alleged sexual assault that occurred at School, including Minor's request that School District investigate the alleged incident as a felony. Also attached was a five-page chronology of events which allegedly took place between October 16, 2024, through January 16, 2025, which included references to Title IX violations, allegations of criminal actions, and illegal searches of Minor.

In its *Exception*, School District argued that all allegations made by Parent fall outside the scope of issues eligible for a due process hearing under Section 507(A)(1) of Bulletin 1706. School District requested that Parent on behalf of Minor's due process hearing request be dismissed.

School District's *Exception* is granted, and Parent on behalf of Minor's *Request for Special Education Due Process Hearing* is dismissed.

The undersigned has jurisdiction under the Individuals with Disabilities Education Act (IDEA) to hear due process issues with respect to matters relating to the identification, evaluation, or educational placement of a student with a disability, or the provision of FAPE.³

The allegations listed in Parent's due process hearing request, as well as the attachments, involve issues that fall outside the scope of this tribunal's jurisdiction under the IDEA. Therefore, this tribunal does not have jurisdiction over any of the issues contained in the request. Accordingly, School District's *Exception* is granted, and Parent on behalf of Minor's *Request for Special Education Due Process Hearing* is dismissed, and the above-captioned adjudication is terminated.

³ Louisiana Administrative Code 28:XLIII.507 (Louisiana Bulletin 1706 § 507).

ORDER

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

IT IS FURTHER ORDERED that the Parent on behalf of Minor's *Request for Special Education Due Process Hearing* is **DISMISSED**, and the adjudication under docket number *2025-1838-DOE-IDEA* is **TERMINATED**.

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

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Monday, March 31, 2025, I have sent a copy of this decision/order to all parties of this matter.

Clerk of Court

Division of Administrative Law



Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

LEGEND

School District

Lincoln Parish School District

School



Parent



Minor



CERTIFICATE OF SERVICE

I certify that the attached **Order Granting School District's *Declinatory Exception of Lack of Subject Matter Jurisdiction*** in Docket No. 2025-1838-DOE-IDEA has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on March 31, 2025.

Clerk of Court

Division of Administrative Law

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

[REDACTED]

BY ELECTRONIC MAIL AND CERTIFIED MAIL

Ms. Carlar M. Alexander
Mr. Timothy Riveria
Attorneys at Law
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Mr. Ricky Durrett, Superintendent
c/o Lincoln Parish Schools
410 South Farmerville Street
Ruston, LA 71270

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-20



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** 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

¹ 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.²

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

² 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.”³ 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.”⁴

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

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

⁴ 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]

BY ELECTRONIC MAIL AND CERTIFIED MAIL

Ms. Ashley B. Jackson
Attorney at Law
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Ms. Melissa M. Lessell
Ms. Casey B. Wendling
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CERTIFIED MAIL #7019 2280 0000 0865 **5184**
mlessell@deutschkerrigan.com
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

Louisiana Special Education Due Process Hearing

45-H-21



STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

* DOCKET NO. 2025-2912-DOE-IDEA

*

IN THE MATTER OF

*

*

PARENT ON BEHALF OF MINOR

*

AGENCY ID. 45-H-21

ORDER TERMINATING ADJUDICATION

Parent filed a due process hearing request on behalf of Minor. During a telephone status conference on March 27, 2025, Parent and School District Representatives advised the parties had settled the issues contained in Parent's due process hearing request through mediation. On March 28, 2025, Parent filed a *Withdrawal of Hearing Request*. The request is granted. Parent's due process hearing request is dismissed, and the above-captioned adjudication is terminated.

ORDER

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

IT IS FURTHER ORDERED that Parent's request for a hearing is **DISMISSED**, and the adjudication bearing docket number 2025-2912-DOE-IDEA is **TERMINATED**.

Rendered and signed on March 31, 2025, in New Orleans, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Tuesday, April 01, 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

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

Legend

Parent: [REDACTED]

Minor: [REDACTED]

School: [REDACTED]

School District: Bossier Parish Schools

School District Representative: Vicki Younger

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-2912-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on April 1, 2025.

Clerk of Court

Division of Administrative Law

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

[REDACTED]

BY CERTIFIED MAIL AND ELECTRONIC MAIL

Mr. Wayne T. Stewart
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2431 South Acadian Thruway, Suite 600
Baton Rouge, LA 70808
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BY REGULAR, FIRST-CLASS MAIL

Mr. Jason Rowland, Superintendent
c/o Bossier Parish Schools
410 Sibley Street
Benton, LA 71006

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-22



STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

* DOCKET NO. 2024-53752-DOE-IDEA
* CONSOLIDATED WITH 2025-3481-
* DOE-IDEA
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*
* AGENCY ID. 45-H-12
* AGENCY ID. 45-H-22
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ORDER ON SCHOOL DISTRICT'S *MOTION TO CONSOLIDATE*

On November 18, 2024, Parent on behalf of Minor filed a *Request for Special Education Due Process Hearing* which was docketed under Division of Administrative Law (DAL) Docket Number 2024-53752-DOE-IDEA. On February 17, 2025, Parent on behalf of Minor filed a *Request for Special Education Due Process Hearing* which was docketed under DAL Docket Number 2025-3481-DOE-IDEA. School District filed responses to each of the due process hearing requests.

On March 25, 2025, School District filed *Motions to Consolidate and Incorporated Memoranda*, requesting that the adjudication bearing Docket Number 2025-3481-DOE-IDEA be consolidated with Docket Number 2024-53752-DOE-IDEA. Parent filed timely oppositions to each of the motions filed by School District.

Administrative Law Judge Anthony J. Russo conducted a telephone hearing on School District's *Motions to Consolidate* on April 1, 2025. Present for the telephone hearing were Carlar M. Alexander and Timothy Riveria, counsel of record for School District, and Parent.

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

Counsel for School District argued that all matters involve common issues of fact and law pertaining to claims by Parent under the Individuals with Disabilities Education Act (IDEA) on behalf of the same Minor involving the same School and School District. Parent argued that the adjudications should not be consolidated as Parent believes that certain allegations will not be considered if the matters are consolidated.

Louisiana Administrative Code (LAC) Title 1, Part III, Chapter 7, Section 701 provides for consolidation of adjudications. Section 701 provides that, when two or more actions involving common issues of law or fact are separately pending before the Division of Administrative Law, the administrative law judge may, upon his or her motion or that of any party, order the consolidation of the matters. The Division of Administrative Law Rules applicable to consolidation of matters mirror those contained in the LAC.

The above-referenced matters involve common issues of law and fact. The matters involve the same Minor, the same School and School District, and there are numerous overlapping allegations contained in each of the due process hearing requests. Neither party will be prejudiced by the consolidation of these matters. All matters contained in each of the consolidated cases will be heard, other than matters that have been disposed of through prehearing motions or exceptions.

School District's *Motions to Consolidate* are granted and the cases shall now be docketed under the oldest case number – 2024-53752-DOE-IDEA. The federal decision deadline in that matter is May 1, 2025, and that deadline is now applicable to the consolidated matters.

A telephone status conference will be conducted on April 30, 2025, at 9:00 a.m., for the parties to inform the undersigned on the status of state-facilitated mediation. If mediation efforts

are terminated or unsuccessful, it is the undersigned's intention to schedule the consolidated matters for a due process hearing during the April 30, 2025, telephone status conference.

ORDER

IT IS ORDERED that School District's *Motions to Consolidate* are **GRANTED**.

IT IS FURTHER ORDERED that the above-referenced matters be docketed under the oldest case number – **2024-53752-DOE-IDEA**.

IT IS FURTHER ORDERED that the federal decision deadline for both matters is **May 1, 2025**.

IT IS FURTHER ORDERED that a **telephone status conference** in the consolidated matters is scheduled for **April 30, 2025, at 9:00 a.m.** Dialing instructions for participating in the telephone status conference are attached.

Rendered and signed on April 4, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER




I certify that on Friday, April 04, 2025, I have sent a copy of this decision/order to all parties of this matter.

Clerk of Court
Division of Administrative Law

Anthony J. Russo

Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

LEGEND

Parent	
Minor	
School District	Lincoln Parish School District
School	

DIVISION OF ADMINISTRATIVE LAW
Telephone Conference Instructions
Read and follow the instructions below carefully.

This information is only for Docket # 2024-53752-DOE-IDEA. Do not use the dial-in number and passcode for any other case. After the telephone hearing, the dial-in number and passcode are no longer useful. If you have any problems using the dial-in number and passcode, please call (225) 342-1800.

1. Dial **1-888-990-7540**.

2. The recording that you will hear depends on whether the judge has joined the call yet.

- **If the judge has NOT joined the call, you will hear:**

“Welcome to Zoom. If you are the meeting host, please enter your host key followed by pound. If you are a participant, please press pound to continue.”

Do This: Press the # key on the phone.

- You will then hear this: *“The meeting has not started. Please wait or try again later.”*

Do This: Wait for the judge to join the call. When the judge joins, you will hear:

“Please enter the meeting password followed by #.”

Do This: Enter **5794** then press the # key on the phone.

- **If the judge HAS joined the call, you will hear:**

“Welcome to Zoom. Please enter the meeting password followed by #.”

Do This: Enter **5794** then press the # key on the phone.

3. After you have entered the passcode, you will hear this:

“After the tone, please record your name. When you have finished recording press pound.”

Do This: Say your name and then press #. [You **MUST** say your name after the tone.]

4. You will then hear this recording:

“You are in the meeting now. There is () other participant in the meeting. You have been added to the waiting room. You cannot talk or listen until the host admits you to the meeting.”

If you have difficulty joining the hearing, or if the judge has not joined after 15 minutes, immediately contact DAL at (225) 342-1800 for further instructions.

Telephone Conference Tips

1. If at any time you think you cannot be heard by the judge, hang up and follow the same instructions to call back.
2. The “host” is the administrative law judge.
3. The appellant, respondent, his/her attorney (if s/he has one), and any witnesses are the “participants.”
4. Speak naturally and say your name each time before you begin speaking.
5. Pause for others to speak. **DO NOT INTERRUPT OTHERS.**
6. Spell out unusual terms, names, and numbers.
7. Do not rustle pages or make distracting noises; everyone can hear it.
8. Avoid putting your phone on hold. Phone systems with music-on-hold will disrupt the teleconference service.
9. At the end of the hearing, the judge will let you know when you can hang up.

Louisiana Special Education Due Process Hearing

45-H-23



STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

* DOCKET NO. 2024-53747-DOE-IDEA
* CONSOLIDATED WITH 2025-3489-
* DOE-IDEA AND
* 2025-4410-DOE-IDEA
*

IN THE MATTER OF

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*
*

PARENT ON BEHALF OF MINOR

* AGENCY ID. 45-H-11
* AGENCY ID. 45-H-23
* AGENCY ID. 45-H-24

ORDER ON SCHOOL DISTRICT’S *MOTION TO CONSOLIDATE*

On November 18, 2024, Parent on behalf of Minor filed a *Request for Special Education Due Process Hearing* which was docketed under Division of Administrative Law (DAL) Docket Number 2024-53747-DOE-IDEA. On February 17, 2025, Parent on behalf of Minor filed a *Request for Special Education Due Process Hearing* which was docketed under DAL Docket Number 2025-3489-DOE-IDEA. On February 26, 2025, Parent on behalf of Minor filed an *Expedited Due Process Hearing Request*² which was docketed under DAL Docket Number 2025-4410-DOE-IDEA. School District filed responses to each of the due process hearing requests.

On March 25, 2025, School District filed *Motions to Consolidate and Incorporated Memoranda*, requesting that the adjudications bearing Docket Number 2025-3489-DOE-IDEA

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

² The undersigned granted Parent’s oral motion at a previous telephone status conference to convert this matter from “expedited” to “non-expedited.”

and Docket Number 2025-4410-DOE-IDEA be consolidated with Docket Number 2024-53747-DOE-IDEA.³ Parent filed timely oppositions to each of the motions filed by School District.

Administrative Law Judge Anthony J. Russo conducted a telephone hearing on School District's *Motions to Consolidate* on April 1, 2025. Present for the telephone hearing were Carlar M. Alexander and Timothy Riveria, counsel of record for School District, and Parent.

Counsel for School District argued that all matters involve common issues of fact and law pertaining to claims by Parent under the Individuals with Disabilities Education Act (IDEA) on behalf of the same Minor involving the same School and School District. Parent argued the adjudications should not be consolidated as Parent believes that certain allegations will not be considered if the matters are consolidated.

Louisiana Administrative Code (LAC) Title 1, Part III, Chapter 7, Section 701 provides for consolidation of adjudications. Section 701 provides that, when two or more actions involving common issues of law or fact are separately pending before the Division of Administrative Law, the administrative law judge may, upon his motion or the motion of any party, order the consolidation of the matters. The Division of Administrative Law Rules applicable to consolidation of matters mirror those contained in the LAC.

The above-referenced matters involve common issues of law and fact. The matters involve the same Minor, the same School and School District, and there are numerous overlapping allegations contained in each of the due process hearing requests. Neither party will be prejudiced by the consolidation of these matters. All matters contained in each of the

³ In its motion, School District also requested that the adjudication bearing Docket Number 2025-1838-DOE-IDEA be consolidated. The portion of School District's motion pertaining to that matter is moot as an order was issued by the undersigned dismissing that matter.

consolidated cases will be heard, other than matters that have been disposed of through prehearing motions or exceptions.

School District's *Motions to Consolidate* are granted and the cases shall now be docketed under the oldest case number – 2024-53747-DOE-IDEA. The federal decision deadline in that matter is May 1, 2025, and that deadline is now applicable to the consolidated matters.

A telephone status conference will be conducted on April 30, 2025, at 9:00 a.m., for the parties to inform the undersigned on the status of state-facilitated mediation. If mediation efforts are terminated or unsuccessful, it is the undersigned's intention to schedule the consolidated matters for a due process hearing during the April 30, 2025, telephone status conference.

ORDER

IT IS ORDERED that School District's *Motions to Consolidate* are **GRANTED**.

IT IS FURTHER ORDERED that the above-referenced matters be docketed under the oldest case number – **2024-53747-DOE-IDEA**.

IT IS FURTHER ORDERED that the federal decision deadline for all matters is **May 1, 2025**.

IT IS FURTHER ORDERED that a **telephone status conference** in the consolidated matters is scheduled for **April 30, 2025, at 9:00 a.m.** Dialing instructions for participating in the telephone status conference are attached.

Rendered and signed on April 4, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Friday, April 04, 2025, I have sent a copy of this decision/order to all parties of this matter.

Clerk of Court

Division of Administrative Law



Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

LEGEND

Parent



Minor



School District

Lincoln Parish School District

School



DIVISION OF ADMINISTRATIVE LAW
Telephone Conference Instructions
Read and follow the instructions below carefully.

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Do This: Press the # key on the phone.
 - You will then hear this: *“The meeting has not started. Please wait or try again later.”*
Do This: Wait for the judge to join the call. When the judge joins, you will hear:
“Please enter the meeting password followed by #.”
Do This: Enter **5794** then press the # key on the phone.
 - **If the judge HAS joined the call, you will hear:**
“Welcome to Zoom. Please enter the meeting password followed by #.”
Do This: Enter **5794** then press the # key on the phone.
3. After you have entered the passcode, you will hear this:
“After the tone, please record your name. When you have finished recording press pound.”
Do This: Say your name and then press #. [You **MUST** say your name after the tone.]
4. You will then hear this recording:
“You are in the meeting now. There is () other participant in the meeting. You have been added to the waiting room. You cannot talk or listen until the host admits you to the meeting.”
If you have difficulty joining the hearing, or if the judge has not joined after 15 minutes, immediately contact DAL at (225) 342-1800 for further instructions.

Telephone Conference Tips

1. If at any time you think you cannot be heard by the judge, hang up and follow the same instructions to call back.
2. The “host” is the administrative law judge.
3. The appellant, respondent, his/her attorney (if s/he has one), and any witnesses are the “participants.”
4. Speak naturally and say your name each time before you begin speaking.
5. Pause for others to speak. **DO NOT INTERRUPT OTHERS.**
6. Spell out unusual terms, names, and numbers.
7. Do not rustle pages or make distracting noises; everyone can hear it.
8. Avoid putting your phone on hold. Phone systems with music-on-hold will disrupt the teleconference service.
9. At the end of the hearing, the judge will let you know when you can hang up.

Louisiana Special Education Due Process Hearing

45-H-24-E



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2024-53747-DOE-IDEA
* CONSOLIDATED WITH 2025-3489-
* DOE-IDEA AND
* 2025-4410-DOE-IDEA**

IN THE MATTER OF

*

PARENT ON BEHALF OF MINOR

*** AGENCY ID. 45-H-11
* AGENCY ID. 45-H-23
* AGENCY ID. 45-H-24**

ORDER ON SCHOOL DISTRICT’S *MOTION TO CONSOLIDATE*

On November 18, 2024, Parent on behalf of Minor filed a *Request for Special Education Due Process Hearing* which was docketed under Division of Administrative Law (DAL) Docket Number 2024-53747-DOE-IDEA. On February 17, 2025, Parent on behalf of Minor filed a *Request for Special Education Due Process Hearing* which was docketed under DAL Docket Number 2025-3489-DOE-IDEA. On February 26, 2025, Parent on behalf of Minor filed an *Expedited Due Process Hearing Request*² which was docketed under DAL Docket Number 2025-4410-DOE-IDEA. School District filed responses to each of the due process hearing requests.

On March 25, 2025, School District filed *Motions to Consolidate and Incorporated Memoranda*, requesting that the adjudications bearing Docket Number 2025-3489-DOE-IDEA

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

² The undersigned granted Parent’s oral motion at a previous telephone status conference to convert this matter from “expedited” to “non-expedited.”

and Docket Number 2025-4410-DOE-IDEA be consolidated with Docket Number 2024-53747-DOE-IDEA.³ Parent filed timely oppositions to each of the motions filed by School District.

Administrative Law Judge Anthony J. Russo conducted a telephone hearing on School District's *Motions to Consolidate* on April 1, 2025. Present for the telephone hearing were Carlar M. Alexander and Timothy Riveria, counsel of record for School District, and Parent.

Counsel for School District argued that all matters involve common issues of fact and law pertaining to claims by Parent under the Individuals with Disabilities Education Act (IDEA) on behalf of the same Minor involving the same School and School District. Parent argued the adjudications should not be consolidated as Parent believes that certain allegations will not be considered if the matters are consolidated.

Louisiana Administrative Code (LAC) Title 1, Part III, Chapter 7, Section 701 provides for consolidation of adjudications. Section 701 provides that, when two or more actions involving common issues of law or fact are separately pending before the Division of Administrative Law, the administrative law judge may, upon his motion or the motion of any party, order the consolidation of the matters. The Division of Administrative Law Rules applicable to consolidation of matters mirror those contained in the LAC.

The above-referenced matters involve common issues of law and fact. The matters involve the same Minor, the same School and School District, and there are numerous overlapping allegations contained in each of the due process hearing requests. Neither party will be prejudiced by the consolidation of these matters. All matters contained in each of the

³ In its motion, School District also requested that the adjudication bearing Docket Number 2025-1838-DOE-IDEA be consolidated. The portion of School District's motion pertaining to that matter is moot as an order was issued by the undersigned dismissing that matter.

consolidated cases will be heard, other than matters that have been disposed of through prehearing motions or exceptions.

School District's *Motions to Consolidate* are granted and the cases shall now be docketed under the oldest case number – 2024-53747-DOE-IDEA. The federal decision deadline in that matter is May 1, 2025, and that deadline is now applicable to the consolidated matters.

A telephone status conference will be conducted on April 30, 2025, at 9:00 a.m., for the parties to inform the undersigned on the status of state-facilitated mediation. If mediation efforts are terminated or unsuccessful, it is the undersigned's intention to schedule the consolidated matters for a due process hearing during the April 30, 2025, telephone status conference.

ORDER

IT IS ORDERED that School District's *Motions to Consolidate* are **GRANTED**.

IT IS FURTHER ORDERED that the above-referenced matters be docketed under the oldest case number – **2024-53747-DOE-IDEA**.

IT IS FURTHER ORDERED that the federal decision deadline for all matters is **May 1, 2025**.

IT IS FURTHER ORDERED that a **telephone status conference** in the consolidated matters is scheduled for **April 30, 2025, at 9:00 a.m.** Dialing instructions for participating in the telephone status conference are attached.

Rendered and signed on April 4, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Friday, April 04, 2025, I have sent a copy of this decision/order to all parties of this matter.

Clerk of Court

Division of Administrative Law



Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

LEGEND

Parent



Minor



School District

Lincoln Parish School District

School



DIVISION OF ADMINISTRATIVE LAW
Telephone Conference Instructions
Read and follow the instructions below carefully.

This information is only for Docket # 2024-53747-DOE-IDEA. Do not use the dial-in number and passcode for any other case. After the telephone hearing, the dial-in number and passcode are no longer useful. If you have any problems using the dial-in number and passcode, please call (225) 342-1800.

1. Dial **1-888-990-7540**.
2. The recording that you will hear depends on whether the judge has joined the call yet.
 - **If the judge has NOT joined the call, you will hear:**
“Welcome to Zoom. If you are the meeting host, please enter your host key followed by pound. If you are a participant, please press pound to continue.”
Do This: Press the # key on the phone.
 - You will then hear this: *“The meeting has not started. Please wait or try again later.”*
Do This: Wait for the judge to join the call. When the judge joins, you will hear:
“Please enter the meeting password followed by #.”
Do This: Enter **5794** then press the # key on the phone.
 - **If the judge HAS joined the call, you will hear:**
“Welcome to Zoom. Please enter the meeting password followed by #.”
Do This: Enter **5794** then press the # key on the phone.
3. After you have entered the passcode, you will hear this:
“After the tone, please record your name. When you have finished recording press pound.”
Do This: Say your name and then press #. [You **MUST** say your name after the tone.]
4. You will then hear this recording:
“You are in the meeting now. There is () other participant in the meeting. You have been added to the waiting room. You cannot talk or listen until the host admits you to the meeting.”
If you have difficulty joining the hearing, or if the judge has not joined after 15 minutes, immediately contact DAL at (225) 342-1800 for further instructions.

Telephone Conference Tips

1. If at any time you think you cannot be heard by the judge, hang up and follow the same instructions to call back.
2. The “host” is the administrative law judge.
3. The appellant, respondent, his/her attorney (if s/he has one), and any witnesses are the “participants.”
4. Speak naturally and say your name each time before you begin speaking.
5. Pause for others to speak. **DO NOT INTERRUPT OTHERS.**
6. Spell out unusual terms, names, and numbers.
7. Do not rustle pages or make distracting noises; everyone can hear it.
8. Avoid putting your phone on hold. Phone systems with music-on-hold will disrupt the teleconference service.
9. At the end of the hearing, the judge will let you know when you can hang up.

Louisiana Special Education Due Process Hearing

45-H-25



STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

* DOCKET NO. 2025-5372-DOE-IDEA

*

IN THE MATTER OF

*

*

PARENT ON BEHALF OF MINOR

* AGENCY ID. 45-H-25

ORDER TERMINATING ADJUDICATION

On April 29, 2025, Parent on behalf of Minor submitted a document to withdraw her request for a due process hearing.

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

IT IS FURTHER ORDERED that the in-person hearing scheduled for May 9 and 12, 2025, is **CANCELED**.

Rendered and signed on April 29, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Thursday, May 01, 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

¹ 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

Calcasieu Parish School Board

School District Representative

Michael Hill

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-5372-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on May 1, 2025.

Clerk of Court

Division of Administrative Law

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

[REDACTED]

BY ELECTRONIC MAIL AND CERTIFIED MAIL

Mr. Wayne T. Stewart
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wstewart@hamsil.com

BY REGULAR, FIRST-CLASS MAIL

Mr. Jason VanMetre
Superintendent
c/o Calcasieu Parish School Board
3310 Broad Street
Lake Charles, LA 70615

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-26



STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

* DOCKET NO. 2025-5525-DOE-IDEA

*

*

*

* AGENCY ID. 45-H-26

ORDER TERMINATING ADJUDICATION FOR FAILURE TO APPEAR

Parent requested a hearing alleging School District failed to provide Minor with a free appropriate public education. The hearing was scheduled for June 17, 2025, at 9:00 a.m. The hearing notice dated May 15, 2025, notified Parent that a hybrid telephone and Zoom hearing was scheduled for June 17, 2025, at 9:00 a.m. A *Conference Report and Order* dated June 16, 2025, confirming the hearing date was also issued to Parent. The notice and order were mailed to Parent's last known mailing address and emailed to her last known email address.

The administrative law judge waited an additional 15 minutes to allow Parent an opportunity to appear for the hearing. Parent failed to appear for the hearing. By failing to appear, Parent waived her right to a hearing within the meaning of Louisiana Revised Statutes 49:975(A) and Louisiana Administrative Code 1:III.725.B. As a result, Parent's hearing request is dismissed, and the adjudication is terminated.

ORDER

IT IS ORDERED that Parent's request for a hearing is **DISMISSED**, and the adjudication under docket number 2025-5525-DOE-IDEA is **TERMINATED**.

Rendered and signed on June 17, 2025, in Baton Rouge, Louisiana.



William H. Cooper
Administrative Law Judge
Division of Administrative Law

NOTICE OF TRANSMISSION OF DECISION OR ORDER

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

Clerk of Court

Division of Administrative Law

¹ 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 District

Jefferson Parish Schools

School District Representative

James Gray and Emily Davis

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication for Failure to Appear** in **Docket No. 2025-5525-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on June 17, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

Patricia A. Adams
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Dr. James Gray, Superintendent
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Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-27



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

IN THE MATTER OF

PARENTS ON BEHALF OF MINOR

*** DOCKET NO. 2025-5660-DOE-IDEA**

*** AGENCY ID. 45-H-27**

ORDER TERMINATING ADJUDICATION

On August 19, 2025, Parents on behalf of Minor through their counsel, Martin J. Cirkiel, filed a *Stipulation of Dismissal with Prejudice*, withdrawing their request for a due process hearing.

ORDER

IT IS ORDERED that Parents on behalf of Minor's request for a due process hearing is **DISMISSED**, and the adjudication under docket number 2025-5660-DOE-IDEA is **TERMINATED**.

IT IS FURTHER ORDERED that the September 10, 2025, telephone status conference is **CANCELLED**.

Rendered and signed on August 25, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Tuesday, August 26, 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

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

Legend

Parents



Minor



School District

Livingston Parish Public Schools

School District Representatives

Jody W. Purvis and Eric W. Penalber

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-5660-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on August 26, 2025.

Clerk of Court

Division of Administrative Law

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

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Jody W. Purvis, Superintendent
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Livingston, LA 70754

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-28



Louisiana Special Education Due Process Hearing

45-H-29



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-6281-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

*** AGENCY ID. 45-H-29**

ORDER TERMINATING ADJUDICATION

On **March 24, 2025**, the Louisiana Department of Education (LDOE) received a written request for a due process hearing from Grandparent/Guardian on behalf of Minor. On **March 24, 2025**, the LDOE forwarded Parent's request to the Division of Administrative Law (DAL).

On April 7, 2025, the parties filed a *Resolution Meeting Verification Form*, documenting their attendance at a **resolution meeting held on April 3, 2025**.

On April 7, 2025, the parties also filed a *Due Process Resolution Results Form*, documenting the terms of their executed agreement resolving all issues in the due process hearing request. Included with the resolution documents was Grandparent/Guardian on behalf of Minor's *Request to Withdraw Hearing Request* based on the executed and full resolution reached between the parties. The *Request to Withdraw Hearing Request* is granted, and all proceedings are terminated, including the telephone conference scheduled for April 17, 2025.

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

ORDER

IT IS ORDERED that the matter entitled Parent on behalf of Minor bearing docket number *2025-6281-DOE-IDEA* is dismissed and all proceedings are **TERMINATED**.

IT IS FURTHER ORDERED that the telephone conference scheduled for April 17, 2025, at 10:00 a.m., is **CANCELLED**.

Rendered and signed on April 9, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Thursday, April 10, 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

Legend

Grandparent/Guardian



Minor



School



School District

St. Martin Schools

School District Representative/Supervisor Special Education

Cheryl Mitchell

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-6281-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on April 10, 2025.

Clerk of Court

Division of Administrative Law

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

[REDACTED]

BY CERTIFIED MAIL AND ELECTRONIC MAIL

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BY REGULAR, FIRST-CLASS MAIL

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Superintendent
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P. O. Box 1000
Breaux Bridge, LA 70517

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

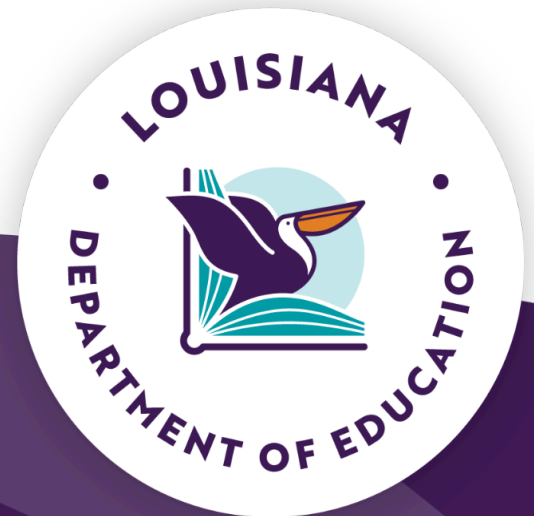
Louisiana Special Education Due Process Hearing

45-H-30



Louisiana Special Education Due Process Hearing

45-H-31-E



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-7927-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

*** AGENCY ID. 45-H-31-E**

ORDER TERMINATING ADJUDICATION

On May 1, 2025, Parent filed a *Withdrawal of Hearing Request*. The request is granted. Accordingly, Parent's request for a due process hearing is dismissed, the telephone status conference scheduled for May 2, 2025, and the due process hearing scheduled for May 14, 2025, and May 15, 2025, are canceled, and the above-captioned adjudication is terminated.

ORDER

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

IT IS FURTHER ORDERED that the telephone status conference scheduled for May 2, 2025, and the due process hearing scheduled for May 14, 2025, and May 15, 2025, are **CANCELED**.

IT IS FURTHER ORDERED that the adjudication bearing docket number 2025-7927-DOE-IDEA is **TERMINATED**.

Rendered and signed on May 2, 2025, in New Orleans, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Monday, May 05, 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

¹ 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

Lafayette Parish School System

School District Representative

Holly Ortego

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-7927-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on May 5, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

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Timothy J. Riveria
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BY REGULAR, FIRST-CLASS MAIL

Francis Touchet, Jr.
Superintendent
c/o Lafayette Parish School System
202 Rue Iberville
Lafayette, LA 70508-1502

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-32



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-8269-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

*** AGENCY ID. 45-H-32**

**ORDER GRANTING SCHOOL DISTRICT'S PEREMPTORY EXCEPTION OF
LACK OF SUBJECT MATTER JURISDICTION**

On April 18, 2025, Parent on behalf of Minor filed a request for a due process hearing, contesting an action by School District. On May 9, 2025, School District filed a *Peremptory Exception of Lack of Subject Matter Jurisdiction*, arguing that Parent's complaint does not fall within the scope of an administrative law judge's jurisdiction under the Individuals with Disabilities Education Act (IDEA), 20 United States Code (U.S.C.) §1415 *et seq.*, and Louisiana Administrative Code (LAC) 28, Part XLIII, Bulletin 1706, §101. On May 12, 2025, Parent responded and filed an objection to School District's exception, arguing that her complaint relates to the identification of her child under FAPE, that is, identifying her child in the video, and the review of the educational records, which she alleges includes the video sought to be reviewed in this matter. On May 23, 2025, both parties timely filed pre-hearing statements and exhibits intended for introduction at the hearing.

The administrative law judge's jurisdiction is delineated in the applicable law, rules and regulations.² That jurisdiction is limited only to issues related to identification, evaluation, placement, and provision of free appropriate public education (FAPE).³ The due process hearing request is dismissed because the allegations made by Parent in the complaint, if taken as true, do

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

² 34 C.F.R. § 300.507 (2024); LAC 28:XLIII.507.A ; LAC 28:XLIII.511. *See also* LAC 28:XLIII.504.A.

³ 34 C.F.R. § 300.507 (2024); LAC 28:XLIII.507.A ; LAC 28:XLIII.511. *See also* LAC 28:XLIII.504.A.

not relate to identification, evaluation, placement, or provision of FAPE. Consequently, the undersigned administrative law judge does not have subject matter jurisdiction.

Parent alleged School District violated the Federal Educational and Privacy Rights Act, 20 U.S.C. § 1232 *et seq.* and 34 Code of Federal Regulations, Subpart A, Part 99 *et seq.*, by not allowing her to review video of Minor in the gymnasium interacting with other children. Parent is concerned with the appearance of certain behavioral changes in Minor and believes the video may show events at school that would explain Minor's behavioral changes. Parent contends that School District's refusal to allow her to view the video is a denial of Minor's right to a FAPE.

Parent's allegations in the due process hearing request do not address any matters covered by Bulletin 1706 § 504.A.1 and 2, relating to the identification, evaluation, educational placement, or provision of a FAPE to Minor. Consequently, the tribunal does not have subject matter jurisdiction.⁴

ORDER

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

IT IS FURTHER ORDERED that the due process hearing request filed by Parent on behalf of Minor is **DISMISSED**.

IT IS FURTHER ORDERED that the hearing scheduled for June 4 - 5, 2025, is **CANCELED**.

Rendered and signed on May 29, 2025, in Baton Rouge, Louisiana.



William H. Cooper
Administrative Law Judge
Division of Administrative Law

NOTICE OF TRANSMISSION OF DECISION OR ORDER

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

Clerk of Court

Division of Administrative Law

⁴ LAC 28:XLIII.507.A.1.

Legend

Parent



Minor



School District

Ascension Parish School

School District Representative

Adina Million and Edith Walker

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.

CERTIFICATE OF SERVICE

I certify that the attached **Order Granting School District's Peremptory Exception of Lack of Subject Matter Jurisdiction** in **Docket No. 2025-8269-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on May 30, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

Timothy J. Riveria
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triveria@hamsil.com

BY REGULAR, FIRST-CLASS MAIL AND ELECTRONIC MAIL

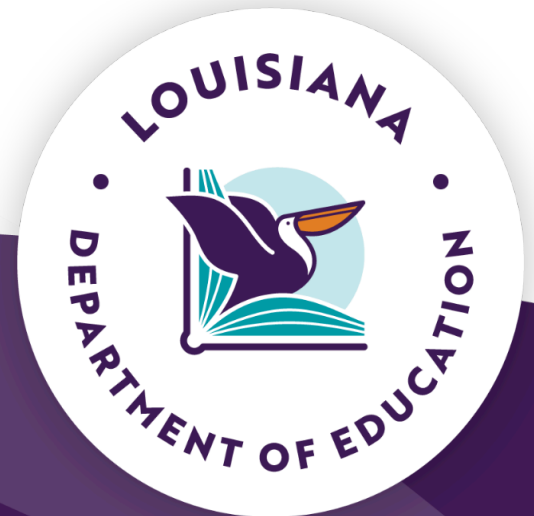
Edith Walker, Superintendent
c/o Ascension Public Schools
1100 Webster Street
Donaldsonville, LA 70346

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-33-E



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-9051-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

*** AGENCY ID. 45-H-33-E**

ORDER TERMINATING ADJUDICATION

On May 6, 2025, School District Representative submitted a Resolution Meeting Agreement signed by the parties, in which Parent on behalf of Minor agreed to withdraw her request for a due process hearing.

ORDER

IT IS ORDERED that the adjudication in the above-entitled and numbered matter is terminated.

IT IS FURTHER ORDERED that the telephone prehearing conference scheduled for May 16, 2025, at 9:00 AM is **CANCELED**.

IT IS FURTHER ORDERED that the hearing scheduled for May 22, 2025, at 9:00 AM is **CANCELED**.

Rendered and signed on May 8, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Monday, May 12, 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

¹ 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

Lafayette Parish School System

School District Representative

Francis Touchet, Jr. and Holly Ortego

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-9051-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on May 12, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

Holly Ortego
c/o Lafayette Parish School System
202 Rue Iberville
Lafayette LA 70508
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hcortego@lpssonline.com

BY REGULAR, FIRST-CLASS MAIL

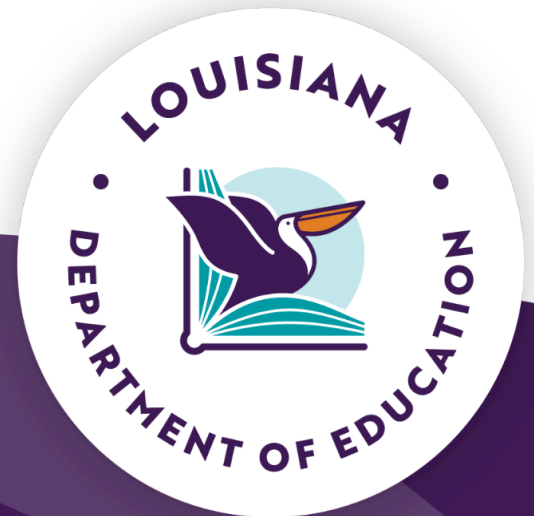
Francis Touchet Jr.
Superintendent
c/o Lafayette Parish School System
202 Rue Iberville
Lafayette, LA 70508-1502

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-34



STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

* DOCKET NO. 2025-9215-DOE-IDEA

*

IN THE MATTER OF

*

*

PARENT ON BEHALF OF MINOR

* AGENCY ID. 45-H-34

ORDER TERMINATING ADJUDICATION

On May 16, 2025, Parent on behalf of Minor submitted a *Withdrawal of Hearing Request* withdrawing her request and waiving her right to a hearing. The telephone prehearing conference scheduled for May 23, 2025, at 1:00 p.m., and the hearing on the merits tentatively scheduled for June 27, 2025, are canceled.

ORDER

IT IS ORDERED that the adjudication entitled *School District in the matter of Parent on Behalf of Minor* bearing docket number 2025-9215-DOE-IDEA is **TERMINATED**.

IT IS FURTHER ORDERED that the telephone prehearing conference scheduled for May 23, 2025, at 1:00 p.m., is **CANCELED**.

IT IS FURTHER ORDERED that the hearing on the merits tentatively scheduled for June 27, 2025, is **CANCELED**.

Rendered and signed on May 20, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Wednesday, May 21, 2025, 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

¹ 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

Jefferson Davis Parish School District

School District Representative

Jeremy Fuselier, Special Education Supervisor

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-9215-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on May 21, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

Jeremy Fuselier
c/o Jefferson Davis Parish Schools
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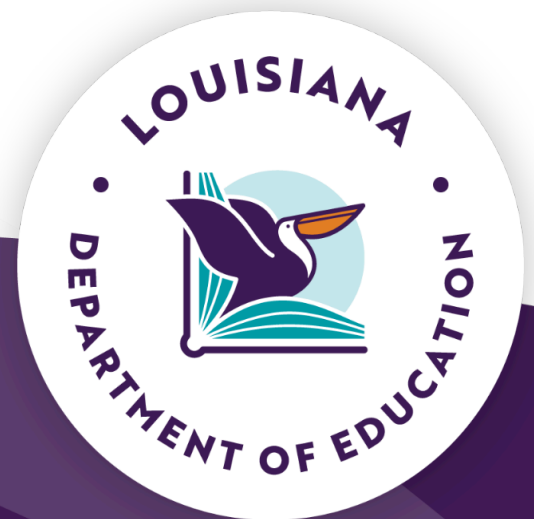
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Louisiana Special Education Due Process Hearing

45-H-35



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-9330-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

*** AGENCY ID. 45-H-35**

ORDER TERMINATING ADJUDICATION

On May 28, 2025, the Louisiana Department of Education forwarded to the Division of Administrative Law Parent on behalf of Minor's written request to withdraw his request for a due process hearing, stating that an agreement was reached during the resolution meeting.

ORDER

IT IS ORDERED that Parent on behalf of Minor's request for a due process hearing is **DISMISSED**, and the matter bearing docket number *2025-9330-DOE-IDEA* is **TERMINATED**.

IT IS FURTHER ORDERED the telephone hearing scheduled for June 5, 2025, at 10:00 a.m., is **CANCELLED**.

Rendered and signed on May 30, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Monday, June 02, 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

¹ 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

East Baton Rouge Parish

School District Representative

Dr. Janet Harris

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-9330-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on June 2, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

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janetharris@ebrschools.org

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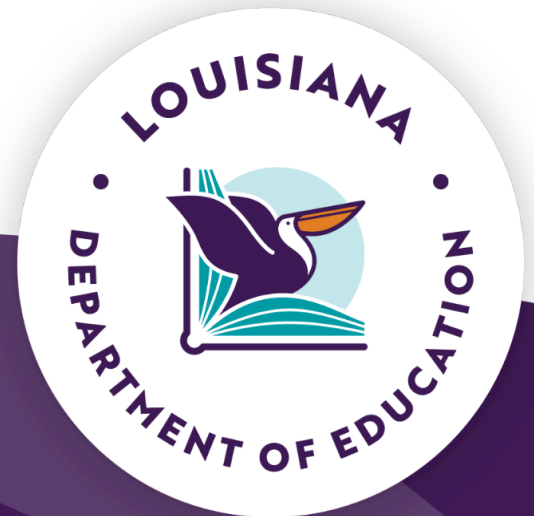
Lamont Cole
Superintendent
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Baton Rouge, LA 70806-7221

BY ELECTRONIC MAIL ONLY

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Louisiana Special Education Due Process Hearing

45-H-36



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-9857-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF CHILD

*** AGENCY ID. 45-H-36**

ORDER TERMINATING ADJUDICATION

Parent, on behalf of Child, filed a due process hearing request alleging School District denied Child a free appropriate public education. A telephone status conference was scheduled for June 2, 2025. Prior to the telephone status conference on May 23, 2025, School District filed a resolution agreement indicating that the issues that are the subject of the due process complaint have been resolved. Consequently, since no justiciable issue remains, the matter is terminated and the conference scheduled for June 2, 2025, is cancelled.

ORDER

IT IS ORDERED that the matter entitled *School District in the matter of Parent on behalf of Child*, bearing docket number 2025-9857-DOE-IDEA is **TERMINATED**.

IT IS FURTHER ORDERED that the telephone status conference scheduled for **June 2, 2025**, is **CANCELLED**.

Rendered and signed on June 2, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

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

Clerk of Court

Division of Administrative Law



Tameka Johnson-Moore
Administrative Law Judge
Division of Administrative Law

¹ 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

East Baton Rouge Parish School System

School District Representative

Dr. Janet A. Harris

REVIEW RIGHTS

This 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.

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-9857-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on June 3, 2025.

Clerk of Court

Division of Administrative Law

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



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Louisiana Special Education Due Process Hearing

45-H-37



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-10291-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

*** AGENCY ID. 45-H-37**

DECISION AND ORDER ON SCHOOL DISTRICT'S MOTION TO DISMISS

On May 19, 2025, Parent on behalf of Minor, requested a due process hearing alleging:

The school currently lacks a functioning system for implementing various Section 504 mandates, including providing adequate notice of rights, implementing child find obligations, offering to conduct and conducting appropriate evaluations, planning meetings, and providing a free appropriate public education [FAPE] to these students. On a routine and systemic basis, families seeking these services for their children are unlawfully rebuffed, fed misinformation regarding Section 504 eligibility, and improperly steered away from the process and other informal procedures that are patently inconsistent with required 504 procedures. These district-wide practices show a lack of training and a chronic, fundamental misunderstanding of the law at the staff and administrative levels. In many instances, these practices are the result of the continued implementation of facially unlawful Section 504 policies.²

Parent seeks the following relief:

We ask that LDOE [Louisiana Department of Education] issue a comprehensive corrective plan that requires the District to reform its noncompliant Section 504 policies, practices, and procedures, and provides aggrieved students with compensatory education as appropriate to their individual needs.³

Parent's request for relief continues:

LDOE should conduct a proper investigation into all of the foregoing allegations of noncompliance with Section 504 and Title II, and issue comprehensive corrective actions regarding all relevant policies and practices of the district, including but not limited to the following: 1. Revise its Section 504 and Title II policies, regulations, procedures, manuals, forms, and any other relevant materials to ensure they comply with the ADA and Section 504 and Title II regulations, including the Section 504 regulations at 34 C.F.R. § 104.31 through 104.35

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

² Parent's request for a due process hearing, page 10.

³ Parent's request for a due process hearing, page 11.

regarding the identification, evaluation, and educational placement of students who, because of a disability, need or are believed to need special education or related services. Through a fully compliant and timely Section 504 process, offer and provide FAPE in the LRE, including appropriate, research-based services, compensatory education services and monetary reimbursement as appropriate to all students found eligible in accordance with laws the District to ensure compliance with all applicable laws governing procedural safeguards when initiating, changing or refusing identification.⁴

On May 29, 2025, School District filed a *Motion to Dismiss* Parent's due process complaint, arguing that the alleged violations of Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 and the relief sought by Parent were outside the jurisdiction of the administrative law judge.

A hearing on the School District's motion was held June 12, 2025, at which Parent appeared self-represented. School District appeared through its counsel, Ashley B. Jackson. Following argument, the record was held open until June 17, 2025, at 4:00 p.m. for additional written arguments. Parent timely filed additional written arguments that were accepted into the record. The record on the *Motion to Dismiss* was closed at the designated time and the matter submitted for decision on the motion.

Due Process Complaint Requirement⁵

Parent's due process complaint is sufficient. The due process hearing complaint must include: the name and address of the child; the name of the school the child is attending; a description of the nature of the child's problem; and a proposed resolution of the problem.⁶ Parent's complaint identified the name and address of the child, the name of the school the child

⁴ Parent's request for due process hearing, page 16.

⁵ Parent argued in his *Opposition to the Motion to Dismiss* that his due process complaint is sufficient.

⁶ 20 U.S.C. § 1415(b)(7)(A)(ii); 34 C.F.R. § 300.508(b) (2025); Louisiana Administrative Code (LAC) 28:XLIII.508.B.

is attending, a description of the nature of the child's problem, and a proposed resolution of the problem. The minimal pleading requirements of a due process hearing complaint are met.⁷

Subject Matter Jurisdiction

School District's *Motion to Dismiss* Parent's due process complaint is granted. The administrative law judge's jurisdiction is delineated in applicable laws, rules and regulations.⁸ That jurisdiction is limited to issues related to identification, evaluation, placement, and provisions of FAPE.⁹ Parent's allegation of violations of Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, as stated in his request for due process hearing, is beyond the scope of an Individuals with Disabilities Education Act (IDEA) hearing. Accordingly, Parent's request for due process is dismissed in its entirety.¹⁰

An administrative law judge may grant relief as provided by the applicable laws, rules and regulations.¹¹ Parent proposed various resolutions, including ordering the School District to revise its Section 504 policies, awarding compensatory time,¹² granting attorney's fees and costs as allowed by law, and awarding damages to which Parent may be entitled under law.¹³ An administrative law judge does not have jurisdiction to grant attorney's fees and costs or any damages, as they are not within the scope of an IDEA due process hearing. Because an administrative law judge does not have jurisdiction to grant the relief sought by Parent, the proposed resolutions are dismissed.

⁷ *Schaffer ex rel. Schaffer v. Weast*, 546 U.S. 49, 54 (2005).

⁸ 34 C.F.R. § 300.507 (2025); LAC 28:XLIII.507.A ; LAC 28:XLIII.511. *See also* LAC 28:XLIII.504.A.

⁹ 34 C.F.R. § 300.507 (2025).

¹⁰ 34 C.F.R. § 300.507 (2014); LAC 28:XLIII.507.A ; LAC 28:XLIII.511. *See also* LAC 28:XLIII.504.A.

¹¹ *See* 34 C.F.R. § 300.517 (2025), LAC 28:XLIII.517.

¹² Parent's written opposition to School District's motion.

¹³ Parent's oral argument in the hearing on School District's motion.

ORDER

IT IS ORDERED that Parent's due process complaint met the minimal pleading requirements of a due process complaint.

IT IS FURTHER ORDERED that the issues in Parent's due process complaint, and Parent's proposed relief, are **DISMISSED**.

IT IS FURTHER ORDERED that School District's *Motion to Dismiss* Parent's request for a due process hearing in its entirety is **GRANTED**, and the above-captioned adjudication is **TERMINATED**.

Rendered and signed on July 24, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Monday, July 28, 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

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 District

Lycée Français de la Nouvelle-Orleans

School District Representative

Chase McLaurin and Faith Moses

CERTIFICATE OF SERVICE

I certify that the attached **Decision and Order on School District's Motion to Dismiss** in **Docket No. 2025-10291-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on July 28, 2025.

Clerk of Court

Division of Administrative Law

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



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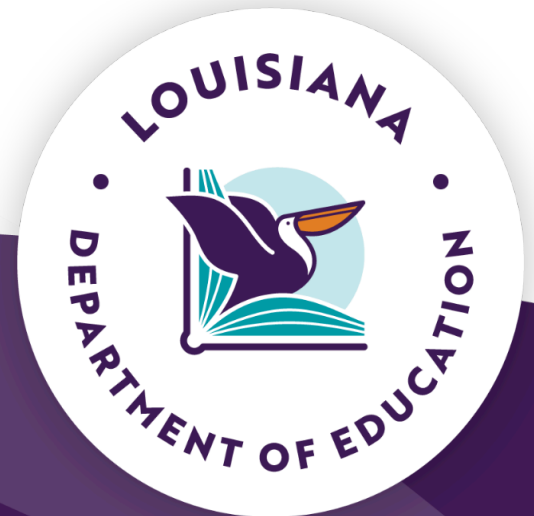
Chase McLaurin, Superintendent
c/o Lycée Français de la Nouvelle-Orléans
1601 Leonidas Street
New Orleans, LA 70118

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
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Louisiana Special Education Due Process Hearing

45-H-38



STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT¹

* DOCKET NO. 2025-10292-DOE-IDEA

*

IN THE MATTER OF

*

*

PARENT ON BEHALF OF MINOR

* AGENCY ID. 45-H-38

ORDER TERMINATING ADJUDICATION

On June 12, 2025, Parent withdrew [REDACTED] request for a due process hearing for the above entitled and numbered administrative cause.

ORDER

IT IS ORDERED that the case entitled *School District in the Matter of Parent on behalf of Minor* bearing docket number 2025-10292-DOE-IDEA is **TERMINATED**.

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

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Monday, June 16, 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

¹ 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

Lycée Francais de la Nouvelle-Orleans

School District Representative

Faith Moses

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-10292-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on June 16, 2025.

Clerk of Court

Division of Administrative Law

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



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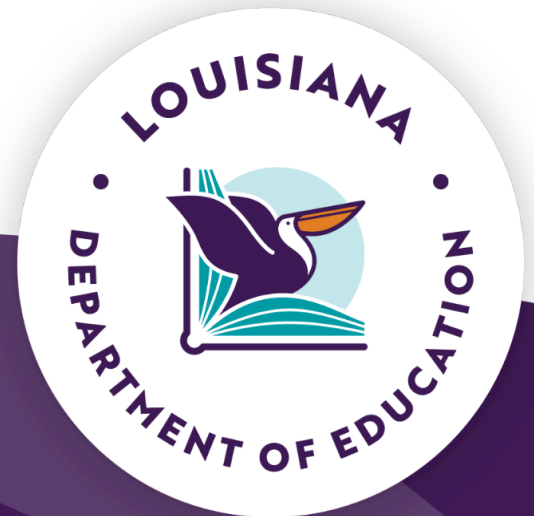
Dr. Chase McLaurin, Superintendent
c/o Lycée Français de la Nouvelle-Orléans
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BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-39



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

IN THE MATTER OF

PARENTS ON BEHALF OF MINOR

*** DOCKET NO. 2025-11230-DOE-IDEA**

*** AGENCY ID. 45-H-39**

ORDER TERMINATING ADJUDICATION

On June 2, 2025, Parents on behalf of Minor filed a *Request for Due Process Hearing*, which was assigned Docket Number 2025-11230-DOE-IDEA. The matter is scheduled for hearing on August 14, 2025, August 18, 2025, and August 19, 2025. On August 7, 2025, Parents on behalf of Minor and School District filed a *Joint Motion to Dismiss* indicating the parties resolved the dispute through a written settlement agreement. The motion is granted.

ORDER

IT IS ORDERED that the *Joint Motion to Dismiss* is **GRANTED**.

IT IS FURTHER ORDERED that Parents on behalf of Minor's request for a hearing is **DISMISSED**, and the adjudication under docket number 2025-11230-DOE-IDEA is **TERMINATED**.

IT IS FURTHER ORDERED that the hearing scheduled for August 14, 2025, August 18, 2025, and August 19, 2025, is **CANCELLED**.

Rendered and signed on August 7, 2025, in Baton Rouge, Louisiana.



Anthony J. Russo
Administrative Law Judge
Division of Administrative Law

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Friday, August 08, 2025, I have sent a copy of this decision/order to all parties of this matter.

Clerk of Court

Division of Administrative Law

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

LEGEND

Parents



Minor



School/School District

New Harmony High School

Special Education Director

Rachell Hillard

Student Support Consultant

Dr. Monique Handy

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-11230-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on August 8, 2025.

Clerk of Court

Division of Administrative Law

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

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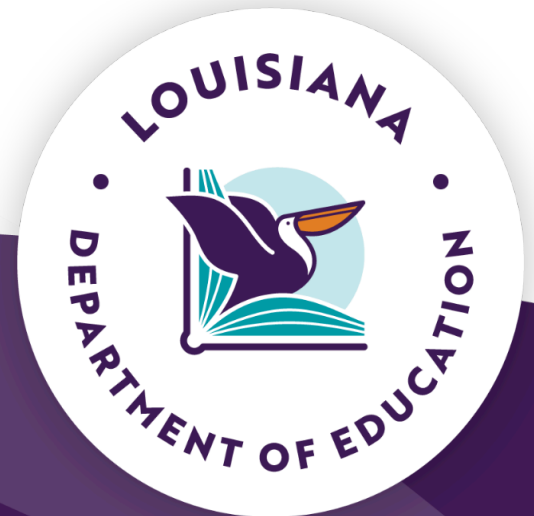
Joshua Washington, Superintendent
c/o New Harmony High School
3368 Esplanade Avenue
New Orleans, LA 70119

BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-40



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

IN THE MATTER OF

**GRANDPARENT ON BEHALF OF
MINOR**

*** DOCKET NO. 2025-11306-DOE-IDEA**

*** AGENCY ID. 45-H-40**

ORDER TERMINATING ADJUDICATION

On July 3, 2025, Grandparent withdrew her request for a due process hearing. The above-captioned adjudication is terminated.

ORDER

IT IS ORDERED that the adjudication bearing docket number 2025-11306-DOE-IDEA is **TERMINATED**.

IT IS FURTHER ORDERED that the telephone status conference scheduled for July 21, 2025, is **CANCELED**.

Rendered and signed on July 7, 2025, in New Orleans, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Monday, July 07, 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

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

Legend

Grandparent: [REDACTED]

Minor: [REDACTED]

School District: St. Landry Parish School Board

School District Representative: Alvado Willis

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-11306-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on July 7, 2025.

Clerk of Court

Division of Administrative Law

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



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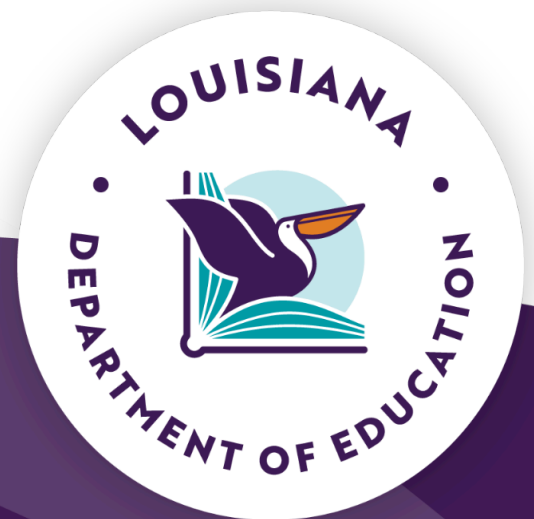
Milton Batiste III, Superintendent
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BY ELECTRONIC MAIL ONLY

Louisiana Department of Education
E-mail: DisputeResolution.DOE@la.gov

Louisiana Special Education Due Process Hearing

45-H-41



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-11491-DOE-IDEA**

IN THE MATTER OF

**GRANDPARENT ON BEHALF OF
MINOR**

AGENCY ID. 45-H-41

**ORDER TERMINATING ADJUDICATION FOR
LACK OF SUBJECT MATTER JURISDICTION**

On June 5, 2025, Grandparent on behalf of Minor filed a request for a special education due process hearing, claiming that Charter School violated Minor's rights under Section 504 of the Rehabilitation Act of 1973 (Section 504)² by failing to implement Minor's Section 504 Individual Accommodation Plan (IAP). On June 13, 2025, Charter School filed a response to the due process hearing request, arguing that Charter School acted in compliance with Minor's Section 504 IAP.³

Grandparent's due process hearing request is outside the jurisdiction of the Division of Administrative Law (DAL). The DAL has jurisdiction under the Individuals with Disabilities Education Act (IDEA)⁴ to hear due process issues with respect to matters relating to the identification, evaluation, or educational placement of a student with a disability (as defined by IDEA), or the provision of a free appropriate public education.⁵ Claims relevant to the education of a child with a disability under Section 504 are excluded from the claims that may be brought

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

² 29 U.S.C. § 794.

³ Charter School also argued in its response that Grandparent's request was insufficient on its face. Because the tribunal does not have jurisdiction to hear claims arising under Section 504, Charter School's argument is moot.

⁴ *See* 20 U.S.C. §§ 1400 *et seq.*

⁵ Louisiana Administrative Code (LAC) 28:XLIII.507.

to the DAL through a request for a due process special education hearing under Louisiana Administrative Code 28:XLIII.507.A.

Because the claims in Grandparent's request for a due process hearing arise under Section 504, not IDEA, the tribunal does not have subject matter jurisdiction to hear Grandparent's request. Grandparent's request for a due process hearing is dismissed.

ORDER

IT IS ORDERED that the due process hearing request filed on June 5, 2025, by Grandparent on behalf of Minor is **DISMISSED**, and all proceedings in 2025-11491-DOE-IDEA are **TERMINATED**.

IT IS FURTHER ORDERED that the telephone conference scheduled for June 23, 2025, at 1:00 PM is **CANCELED**.

IT IS FURTHER ORDERED that the due process hearing scheduled for July 24, 2025, at 9:00 AM is **CANCELED**.

Rendered and signed on June 16, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Wednesday, June 18, 2025, I have sent a copy of this decision/order to all parties of this matter.

Clerk of Court
Division of Administrative Law



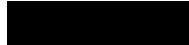
Lynette Roberson
Administrative Law Judge
Division of Administrative Law

REVIEW RIGHTS

This 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

Grandparent



Minor



School District

Jefferson Parish Schools

Charter School



CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication for Lack of Subject Matter Jurisdiction** in **Docket No. 2025-11491-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on June 18, 2025.

Clerk of Court

Division of Administrative Law

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



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Louisiana Department of Education
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Louisiana Special Education Due Process Hearing

45-H-42



Louisiana Special Education Due Process Hearing

45-H-43



**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

SCHOOL DISTRICT¹

*** DOCKET NO. 2025-12500-DOE-IDEA**

IN THE MATTER OF

PARENT ON BEHALF OF MINOR

*** AGENCY ID. 45-H-43**

ORDER TERMINATING ADJUDICATION

On July 23, 2025, Parent on behalf of Minor filed a motion to withdraw their request for a due process hearing. The motion is granted.

ORDER

IT IS ORDERED that the matter entitled School District in the matter of Parent on behalf of Minor bearing docket number *2025-12500-DOE-IDEA* is **TERMINATED**.

Rendered and signed on July 23, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Thursday, July 24, 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

¹ 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

Zachary Community Schools

School District Representative

Aeneid Mason, Director of Student Support Services

CERTIFICATE OF SERVICE

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-12500-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on July 24, 2025.

Clerk of Court

Division of Administrative Law

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



BY ELECTRONIC MAIL AND CERTIFIED MAIL

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