

## 2025-26 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, 2025, and June 30, 2026. Each case filed during the relevant timeframe is included in the informational table below. If a matter has been decided, the order or decision disposing of the matter will appear below. This document is updated at least monthly on the last business day of the month.

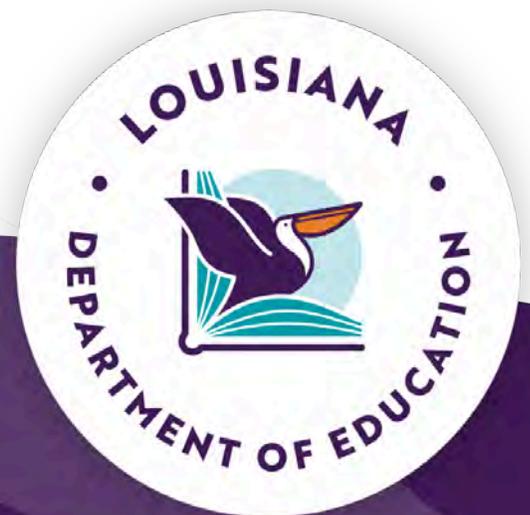
If you have any questions or concerns, please contact the Department at [DisputeResolution.DOE@la.gov](mailto:DisputeResolution.DOE@la.gov).

<b>LDOE Case Number</b>	<b>Public Agency</b>	<b>Disposition</b>	<b>Date of Disposition</b>
56-H-01	St. Charles Parish Schools	Withdrawn	August 11, 2025
56-H-02	NOLA Public Schools	Pending	--
56-H-03	Lincoln Parish Schools	Dismissed	October 6, 2025
56-H-04	Rapides Parish Schools	Withdrawn	October 6, 2025
56-H-05-E	New Harmony Schools	Dismissed	September 25, 2025
56-H-06	Lafourche Parish Schools	Withdrawn	November 17, 2025
56-H-07	Monroe City Schools	Withdrawn	October 18, 2025
56-H-08	Bossier Parish Schools	Withdrawn	November 21, 2025
56-H-09	East Baton Rouge Parish Schools	Withdrawn	October 20, 2025
56-H-10	Calcasieu Parish Schools	Withdrawn	October 20, 2025
56-H-11	Caddo Parish Schools	Pending	--
56-H-12-E	New Harmony Schools	Dismissed	November 10, 2025
56-H-13	Lincoln Parish Schools	Dismissed	February 19, 2026
56-H-14	Lincoln Parish Schools	Dismissed	February 20, 2026
56-H-15	Lincoln Parish Schools	Dismissed	November 3, 2025
56-H-16	Lincoln Parish Schools	Pending	--
56-H-17	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-18	Caddo Parish Schools	Dismissed	December 10, 2025
56-H-19	Jefferson Parish Schools	Withdrawn	December 10, 2025
56-H-20	Lycee Francais de la Nouvelle-Orleans	Withdrawn	December 22, 2025
56-H-21	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-22	Lycee Francais de la Nouvelle-Orleans	Pending	--

56-H-23-E	Lincoln Parish Schools	Withdrawn	December 11, 2025
56-H-24	West Carroll Parish Schools	Withdrawn	February 2, 2026
56-H-25	Jefferson Parish Schools	Pending	--
56-H-26	East Baton Rouge Parish Schools	Pending	--
56-H-27	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-28-E	St. Tammany Parish Schools	Compliance	February 20, 2026
56-H-29	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-30	Acadia Parish Schools	Withdrawn	January 27, 2026
56-H-31-E	Ascension Parish Schools	Compliance	February 25, 2026
56-H-32-E	Rapides Parish Schools	Withdrawn	February 18, 2026
56-H-33	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-34	East Baton Rouge Parish Schools	Pending	--
56-H-35	Livingston Parish Schools	Pending	--
56-H-36	Rapides Parish Schools	Pending	--
56-H-37	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-38	St. Tammany Parish Schools	Withdrawn	February 18, 2026
56-H-39	St. Mary Parish Schools	Pending	--
56-H-40	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-41	NOLA Public Schools	Pending	--
56-H-42	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-43	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-44	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-45	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-46	Lycee Francais de la Nouvelle-Orleans	Pending	--
56-H-47	Terrebonne Parish Schools	Pending	--
56-H-48	Lafayette Parish Schools	Pending	--

# Louisiana Special Education Due Process Hearing

56-H-01



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

**SCHOOL DISTRICT**

\* **DOCKET NO. 2025-15501-DOE-IDEA**

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**IN THE MATTER OF**

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**PARENT ON BEHALF OF CHILD**

\* **AGENCY ID. 56-H-01**

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**ORDER TERMINATING ADJUDICATION**

Parent, on behalf of Child,<sup>1</sup> filed a due process hearing request alleging School District denied Child a free appropriate education. On August 7, 2025, Parent, on behalf of Child, filed a Motion to Withdraw Hearing Request as it relates to the due process complaint.

**ORDER**

**IT IS ORDERED** that Parent, on behalf of Child's, Motion to Withdraw Hearing Request is **GRANTED**.

**IT IS FURTHER ORDERED** that the above matter entitled *School District in the matter of Parent on Behalf of Child* is **TERMINATED**.

Rendered and signed on August 11, 2025, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, August 11, 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

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

**LEGEND**

**Parent**



**Child**



**School Board**

**St. Charles Parish Public Schools**

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-15501-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on August 11, 2025.

Clerk of Court

Division of Administrative Law

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



**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Mendy Van Hoven  
c/o St. Charles Parish Public Schools  
13855 River Road  
Luling LA 70070  
CERTIFIED MAIL #7019 2280 0000 0865 **5641**  
[mvanhoven@wearescpss.org](mailto:mvanhoven@wearescpss.org)

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

Ken Oertling, Superintendent  
c/o St. Charles Parish Public Schools  
13855 River Road  
Luling, LA 70070

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-02



# Louisiana Special Education Due Process Hearing

56-H-03



STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT<sup>1</sup>

\* DOCKET NO. 2025-16824-DOE-IDEA

\*

IN THE MATTER OF

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PARENT ON BEHALF OF MINOR

\* AGENCY ID. 56-H-03

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**ORDER GRANTING SCHOOL DISTRICT'S  
PEREMPTORY EXCEPTION OF NO CAUSE OF ACTION**

On September 19, 2025, School District, through its counsel, Carlar M. Alexander, filed a *Peremptory Exception of No Cause of Action (Exception)* seeking to dismiss Parent on behalf of Minor's due process complaint. For the reasons explained below, School District's *Exception* is **GRANTED**.

Administrative Law Judge Leighann N. Guilbeau conducted the hearing on School District's *Exception* by telephone on October 1, 2025. Parent appeared for the hearing as a self-represented litigant. Carlar M. Alexander appeared as counsel for School District.

On August 25, 2025, Parent filed a due process complaint with the Louisiana Department of Education on behalf of Minor. In the complaint, Parent wrote:

[Minor] was attending [REDACTED] on in district transfer. We had an IEP meeting scheduled on 8-22-25. It was cancelled. [Minor] received a referral for language on 8-20-25. [School District] called on 8-21-25 [and] told me to send [Minor] back to CHS. [Minor] has nothing but issues there. One reason we asked to transfer. [Minor] wanted to attend [REDACTED] for sports and new beginning. I would [sic] him to remain at [REDACTED] under the stay put until this is resolved.

In its *Exception*, School District argued Parent does not have a cause of action for a due process hearing under the Individuals with Disabilities Education Act (IDEA) because the due process complaint does not address any matters relating to the identification, evaluation, or

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

educational placement of Minor or the provision of a free appropriate public education (FAPE) to Minor. School District argued the “stay put” provision of IDEA is not applicable because the due process complaint does not allege a genuine dispute regarding the child’s educational placement under IDEA. School District contended Minor’s transfer to the new school was approved only to allow Minor to participate in football and was not related to any special education services. School District alleged Minor’s prior school is capable of implementing ■■■ Individualized Education Program (IEP) and providing FAPE in the least restrictive environment. School District asserted that the meeting mentioned in Parent’s due process complaint was a parent conference, not an IEP team meeting, as School District had not proposed any changes to Minor’s IEP, placement, or special education services. School District also argued it no longer has responsibility for providing services or placing Minor because Parent withdrew Minor from School District on August 21, 2025, to begin homeschooling Minor.

Parent argued that Minor has health issues which prevent ■■■ from playing football. Parent stated ■■■ was under the impression Minor could still attend the new school because other students do so and it is a bigger school with more opportunities. Parent stated Minor wanted to attend the new school for reasons other than football and that Minor had not been given an opportunity to participate in other extracurricular activities, including other sports, at the new school because of the limited time Minor had been allowed to attend. Parent stated ■■■ felt Minor was not given an opportunity to fully participate at the new school. Parent reported no meeting had been conducted before School District called and advised that Minor had to return to the previous school. Parent advised Minor has an IEP. Parent stated ■■■ did not know whether ■■■ transfer request had anything to do with the IEP. Parent confirmed Minor is homeschooled and no longer enrolled in School District. Parent advised ■■■ withdrew Minor

from School District the day ■ learned Minor would have to attend the prior school. Parent stated the prior school was administering some provisions of Minor’s IEP, but Parent was not happy with how those services were being administered. Parent stated Minor was having issues at the prior school and that is another reason why Parent wanted Minor to attend a different school.

School District’s *Exception* is granted. An administrative law judge’s jurisdiction is limited to issues related to the identification, evaluation, placement, of a child and the provision of FAPE.<sup>2</sup> Parent’s request that Minor remain at a school based upon an in-district transfer request related to Minor’s desire to participate in extracurricular activities and have a “new beginning” is outside the scope of IDEA. The due process complaint did not state any issues related to the identification, evaluation, or placement of Minor as it relates to ■ disability. Parent did not allege that School District denied Minor FAPE. Parent’s due process complaint did not allege that Minor’s transfer was related to Minor’s IEP or special education services. Parent’s due process complaint specifically stated that Minor wanted to attend the new school for “sports and [a] new beginning.” These issues do not fall under IDEA. Accordingly, Parent’s request for a due process hearing is dismissed because the due process complaint does not state a cause of action under IDEA.<sup>3</sup>

During the hearing on School District’s *Exception*, the parties agreed to schedule the due process hearing for October 17, 2025. The due process hearing scheduled for October 17, 2025, is canceled because Parent’s request for a due process hearing has been dismissed.

*ORDER CONTINUES ON NEXT PAGE*

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<sup>2</sup> 34 C.F.R. § 300.507 (2025).

<sup>3</sup> 34 C.F.R. § 300.507 (2025); Louisiana Administrative Code (LAC) 28:XLIII.507.A ; LAC 28:XLIII.511. *See also* LAC 28:XLIII.504.A.

**ORDER**

**IT IS ORDERED** that School District's *Peremptory Exception of No Cause of Action* is **GRANTED**.

**IT IS FURTHER ORDERED** that Parent's request for a due process hearing is **DISMISSED**, and the above-captioned adjudication is **TERMINATED**.

**IT IS FURTHER ORDERED** that the due process hearing scheduled for October 17, 2025, is **CANCELED**.

Rendered and signed on October 6, 2025, in New Orleans, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, October 06, 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

## Legend

Parent: [REDACTED]

Minor: [REDACTED]

School District: Lincoln Parish Schools

School District Representative: Phaedra Blake



# Louisiana Special Education Due Process Hearing

56-H-04



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-17056-DOE-IDEA**

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**IN THE MATTER OF**

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**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-04**

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**ORDER TERMINATING ADJUDICATION**

On September 11, 2025, Parent participated in a mediation with School District. As part of that mediation, Parent signed a binding mediation settlement agreement to withdraw [REDACTED] request for a due process hearing.<sup>2</sup> Parent confirmed in a conference with the undersigned administrative law judge conducted on October 6, 2025, that [REDACTED] did not rescind the settlement agreement within three days of signing it. The request to dismiss the instant due process hearing based upon the mediation settlement agreement is granted.<sup>3</sup>

**ORDER**

**IT IS ORDERED** that the matter entitled *School District in the Matter of Parent on Behalf of Minor* bearing docket number 2025-17056-DOE-IDEA is **TERMINATED**.

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

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, October 06, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



William H. Cooper  
Administrative Law Judge  
Division of Administrative Law

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

<sup>2</sup> See Louisiana Administrative Code, Title 28, Part XLIII, Bulletin 1706, § 510.D. Parent has not voided the mediation settlement agreement within three days of its signing.

<sup>3</sup> Parent may seek counsel to advise [REDACTED] on future actions in enforcing the mediation settlement agreement or filing a new due process hearing request.

### Legend

Parent



Minor



School District

Jeff Powell

School District Representative

Michael Yoist, Special Education Director

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-17056-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on October 6, 2025.

Clerk of Court

Division of Administrative Law

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



**BY CERTIFIED MAIL AND ELECTRONIC MAIL**

Parris A. Taylor  
Attorney at Law  
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Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **6044**  
[ptaylor@hamsil.com](mailto:ptaylor@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL**

Jeff Powell, Superintendent  
c/o Rapides Parish School Board  
619 Sixth Street  
Alexandria, LA 71306

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-05-E



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-18215-DOE-IDEA**

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**IN THE MATTER OF**

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**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-05-E**

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**ORDER TERMINATING ADJUDICATION**

Parent on behalf of Minor filed an expedited due process hearing request on September 17, 2025, claiming that Minor was suspended from School District without a prior meeting with Parent, that Minor was prohibited by School District from returning to school, and that Parent was not provided a copy of Minor’s school records related to ■ suspension. A telephone prehearing conference was conducted on September 24, 2025, at 1:00 PM. During the telephone conference, Parent confirmed Minor’s date of birth. At the time Parent filed the expedited due process hearing request, Minor was 18 years old.

When a student with a disability reaches 18 years old, all rights accorded to parents under the Individuals with Disabilities Education Act (IDEA) transfer to the student, except for a student with a disability who has been determined to be incompetent under state law.<sup>2</sup> The administrative record does not reflect that Minor has been determined to be incompetent under Louisiana law. Absent a showing that Minor has been deemed incompetent and that Parent retained parental rights under IDEA, Parent does not have standing to initiate a due process hearing request on behalf of Minor in the above-entitled matter. Therefore, Parent’s request for an expedited due process hearing is dismissed.

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

<sup>2</sup> See Louisiana Administrative Code 28:XLIII.520. See also 20 United States Code Annotated § 1415(m) and *Neville v. Dennis*, No. 07-2202-CM-DJW, 2007 WL 2875376, at \*2 (D. Kansas October 3, 2007).

**ORDER**

**IT IS ORDERED** that the matter bearing docket number 2025-18215-DOE-IDEA is **TERMINATED**.

**IT IS FURTHER ORDERED** that the telephone conference scheduled for October 7, 2025, at 1:00 PM and the due process hearing scheduled for October 16, 2025, at 9:00 AM are **CANCELLED**.

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



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Lynette Roberson  
Administrative Law Judge  
Division of Administrative Law

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Thursday, September 25, 2025, I have sent a copy of this decision/order to all parties of this matter.

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**Clerk of Court**

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**

Parent



Minor



School District

New Harmony High School

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-18215-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on September 25, 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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c/o New Harmony High School  
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CERTIFIED MAIL #7019 2280 0000 0865 5993  
[rochell.hillard@newharmonyhigh.org](mailto:rochell.hillard@newharmonyhigh.org)

**BY REGULAR, FIRST-CLASS MAIL**

Dr. Joshua Washington  
c/o New Harmony High School  
3819 St. Claude Avenue  
New Orleans, LA 70117

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-06



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-18504-DOE-IDEA**

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**IN THE MATTER OF**

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**PARENTS ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-06**

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**ORDER TERMINATING ADJUDICATION**

On November 13, 2025, Parents on behalf of Minor submitted a withdrawal of their due process hearing request and waiving their right to a hearing. The telephone status conference scheduled for November 20, 2025, at 9:00 a.m., is canceled.

**ORDER**

**IT IS ORDERED** that the adjudication entitled *School District in the matter of Parents on Behalf of Minor* bearing docket number 2025-18504-DOE-IDEA is **TERMINATED**.

**IT IS FURTHER ORDERED** that the telephone status conference scheduled for November 20, 2025, at 9:00 a.m., is **CANCELED**.

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

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, November 17, 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

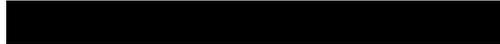
Administrative Law Judge

Division of Administrative Law

<sup>1</sup> 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

Lafourche Parish School District

School District Representatives

Andrea Delcambre, Sp. Ed. Director



# Louisiana Special Education Due Process Hearing

56-H-07



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-18907-DOE-IDEA**

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**IN THE MATTER OF**

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**GRANDPARENT ON BEHALF OF  
MINOR**

**\* AGENCY ID. 56-H-07**

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**ORDER TERMINATING ADJUDICATION**

On October 8, 2025, Grandparent on behalf of Minor withdrew their request for a due process hearing.

On October 8, 2025, the Division of Administrative Law received from the Director of Student Support Services for School District the signed Resolution Meeting Verification Form, documenting that the parties held a resolution meeting on September 24, 2025, and resolved the issues forming the basis of the request for the due process hearing.

**ORDER**

**IT IS ORDERED** that the request for due process hearing in the matter entitled Grandparent on behalf of Minor bearing docket number *2025-18907-DOE-IDEA* is **TERMINATED**.

**IT IS FURTHER ORDERED** that the prehearing telephone conference scheduled for October 15, 2025, at 10:00 AM, is **CANCELLED**.

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

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Wednesday, October 08, 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*

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Esther A. Redmann  
Administrative Law Judge  
Division of Administrative Law

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

**Legend**

Grandparent



Minor



School District

Monroe City Schools

School District Representative

Sam Moore, III, Superintendent

Director of Student Support Services

Rochelle Williams

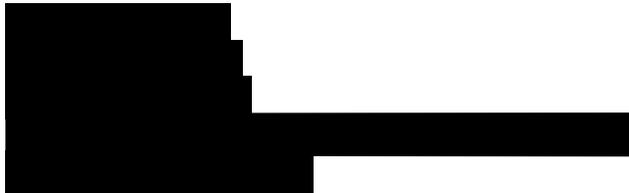
**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-18907-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on October 8, 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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c/o Monroe City Schools  
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Monroe LA 71201  
CERTIFIED MAIL #7019 2280 0000 0865 **6075**  
[rochelle.williams@mcschools.net](mailto:rochelle.williams@mcschools.net)

**BY REGULAR, FIRST-CLASS MAIL**

Sam Moore, III  
Superintendent  
c/o Monroe City Schools  
2006 Tower Drive  
Monroe, LA 71201

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-08



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-19696-DOE-IDEA**

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**IN THE MATTER OF**

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**PARENT ON BEHALF OF CHILD**

**\* AGENCY ID. 56-H-08**

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**ORDER TERMINATING ADJUDICATION**

Parent, on behalf of Child, filed a due process hearing request alleging School District denied Child a free appropriate public education. On November 20, 2025, Parent, on behalf of Child, withdrew her due process hearing request.

**ORDER**

**IT IS ORDERED** that the matter entitled *School District in the matter of Parent on behalf of Child*, bearing docket number *2025-19696-DOE-IDEA* is **TERMINATED**.

Rendered and signed on November 21, 2025, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Friday, November 21, 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

<sup>1</sup> 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

Bossier Parish Schools

School District Representative

Vicki Younger



# Louisiana Special Education Due Process Hearing

56-H-09



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-19725-DOE-IDEA**

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**IN THE MATTER OF**

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**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-09**

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**ORDER TERMINATING ADJUDICATION**

On October 7, 2025, Parent on behalf of Minor filed a *Request for Due Process Hearing*, which was assigned Docket Number 2025-19725-DOE-IDEA. The matter is scheduled for a telephone status conference on October 28, 2025, at 3:30 p.m. On October 20, 2025, Parent on behalf of Minor filed a notice with the tribunal indicating that Parent would like to cancel [REDACTED] due process hearing request as the parties have decided to engage in mediation to resolve this matter.

**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 2025-19725-DOE-IDEA is **TERMINATED**.

**IT IS FURTHER ORDERED** that the telephone status conference scheduled for October 28, 2025, at 3:30 p.m., is **CANCELLED**.

Rendered and signed on October 20, 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**

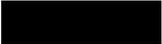
I certify that on Monday, October 20, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law

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

**LEGEND**

Parent	
Minor	
School District	East Baton Rouge Parish School System
School	
School District Representative	Dr. Janet Harris

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-19725-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on October 20, 2025.

Clerk of Court

Division of Administrative Law

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



**BY CERTIFIED MAIL AND ELECTRONIC MAIL**

Carlar M. Alexander  
Attorney at Law  
2431 South Acadian Thruway, Suite 600  
Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **6099**  
[calexander@hamsil.com](mailto:calexander@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL**

East Baton Rouge Parish School System  
Attn: Lamont Cole, Superintendent  
1050 South Foster Drive  
Baton Rouge, LA 70806-7221

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-10



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-20051-DOE-IDEA**

**\***

**IN THE MATTER OF**

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**PARENTS ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-10**

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**ORDER TERMINATING ADJUDICATION**

On October 20, 2025, School District, through School District Representative, withdrew its request for a due process hearing. Accordingly, the telephone status conference scheduled for October 30, 2025, and the hearing by Zoom videoconference scheduled for November 7, 2025, are canceled.

**ORDER**

**IT IS ORDERED** that School District's request for a due process hearing is **DISMISSED**, and the above-captioned adjudication is **TERMINATED**.

**IT IS FURTHER ORDERED** that the telephone status conference scheduled for October 30, 2025, and the hearing by Zoom videoconference scheduled for November 7, 2025, are **CANCELED**.

Rendered and signed on October 20, 2025, in New Orleans, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Tuesday, October 21, 2025, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**  
Division of Administrative Law



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

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

## Legend

Parents



Minor



School District

Calcasieu Parish Schools

School District Representative

Mike Hill



# Louisiana Special Education Due Process Hearing

56-H-11



# Louisiana Special Education Due Process Hearing

56-H-12-E



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-20350-DOE-IDEA**

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**IN THE MATTER OF**

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**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-12-E**

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**ORDER TERMINATING ADJUDICATION FOR FAILURE TO APPEAR**

Parent on behalf of Minor requested a hearing to challenge School District’s disciplinary action against Minor. The hearing was scheduled for November 7, 2025. The hearing notice dated October 29, 2025, notified Parent that a video teleconference hearing was scheduled for November 7, 2025, at 9:00 a.m. The hearing notice was sent by U.S. Postal Service mail to Parent’s address on record, as well as emailed to Parent’s email address on record.

On November 7, 2025, at 9:00 a.m., the due process hearing was commenced by Administrative Law Judge William H. Cooper. Neither Parent on behalf of Minor, nor a representative for School District, appeared for the hearing.

The administrative law judge waited an additional 10 minutes to allow Parent an opportunity to appear for the hearing. Parent on behalf of Minor failed to appear for the hearing. Parent has the burden of proof in this proceeding.<sup>2</sup> As she failed to appear for the hearing, Parent failed to prove any violation by School District. As a result, Parent’s hearing request and adjudication are terminated.

**ORDER**

**IT IS ORDERED** that Parent’s request for a hearing is **DISMISSED**, and the adjudication under docket number 2025-20350-DOE-IDEA is **TERMINATED**.

Rendered and signed on November 10, 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 Wednesday, November 12, 2025, I have sent a copy of this decision/order to all parties of this matter.

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

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

<sup>2</sup> *Schaffer v. Weast*, 546 U.S. 49 (2005); Louisiana Administrative Code 28.XLIII (Bulletin 1706).511.J.

## **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

School District Representatives



Orleans Parish School Board/NOLA Public Schools  
Robin Honore and Rochell Hillard



# Louisiana Special Education Due Process Hearing

56-H-13



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-21158-DOE-IDEA**

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**IN THE MATTER OF**

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**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-13**

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**ORDER TERMINATING ADJUDICATION**

On October 27, 2025, Parent on behalf of Minor filed a request for a due process hearing, alleging that School District denied Minor a free appropriate public education by (1) suspending Minor from school without addressing his needs for a behavior intervention and addressing his needs for education while he was out of school and (2) failing to intervene when Minor experienced bullying from other students. On January 12, 2026, the Division of Administrative Law issued a hearing notice notifying Parent and School District that the hearing was to be conducted by Zoom videoconference on February 19, 2026, at 9:00 AM.<sup>2</sup> The notice was emailed to Parent’s last known email address and mailed to Parent’s last known mailing address. Parent neither made an appearance at the hearing nor requested a continuance of the February 19, 2026, hearing.

Louisiana Department of Education Bulletin 1706, Section 511.J, provides that the burden of proof at a due process hearing is on the party seeking relief. In the above-captioned matter, Parent had the burden of proof at the February 19, 2026, due process hearing. Because

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

<sup>2</sup> The parties agreed to a due process hearing initially scheduled for December 18, 2025, at 9:00 AM by Zoom videoconference, to accommodate Parent’s limitations in attending an in-person hearing. On December 16, 2025, Parent filed a request for a continuance of the December 18, 2025, hearing and provided good cause. The request was granted, and a telephone conference was conducted on January 6, 2026, at 3:00 PM to discuss the parties’ availability for a continued hearing. Parent did not make an appearance at the January 6, 2026, conference, did not request a continuance of the conference, and did not submit her availability to participate in a continued hearing to the Division of Administrative Law.

Parent failed to appear, she failed to carry her burden of proving her allegations against School District. Parent's request for a due process hearing in the above-captioned matter is dismissed.

**ORDER**

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

Rendered and signed on February 19, 2026, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Friday, February 20, 2026, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



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Lynette Roberson  
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

Lincoln Parish Schools

School District Representatives

Ricky Durrett and Phaedra Blake



# Louisiana Special Education Due Process Hearing

56-H-14



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-21159-DOE-IDEA**

**\***

**IN THE MATTER OF**

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**\***

**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-14**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

On October 27, 2025, Parent on behalf of Minor filed a request for a due process hearing, alleging that School District delayed evaluating Minor for a disability and delayed providing her special education services for a suspected disability, denying Minor a free appropriate public education. On January 8, 2026, the Division of Administrative Law issued a hearing notice notifying Parent and School District that the hearing was to be conducted by Zoom videoconference on February 20, 2026, at 9:00 AM.<sup>2</sup> The notice was emailed to Parent’s last known email address and mailed to Parent’s last known mailing address. Parent neither made an appearance at the hearing nor requested a continuance of the February 20, 2026, hearing.

Louisiana Department of Education Bulletin 1706, Section 511.J, provides that the burden of proof at a due process hearing is on the party seeking relief. In the above-captioned matter, Parent had the burden of proof at the February 20, 2026, due process hearing. Because Parent failed to appear, she failed to carry her burden of proving her allegations against School

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

<sup>2</sup> The parties agreed to a due process hearing initially scheduled for January 8, 2026, at 9:00 AM by Zoom videoconference, to accommodate Parent’s limitations in attending an in-person hearing. On December 16, 2025, Parent filed a request for a continuance of the January 8, 2026, hearing. The Tribunal issued an order deferring ruling on the request for a continuance and setting a telephone conference for January 6, 2026, at 3:30 PM to discuss Parent’s request and the parties’ availability for a continued hearing. Parent did not make an appearance at the January 6, 2026, conference, did not request a continuance of the conference, and did not submit her availability to participate in a continued hearing to the Division of Administrative Law. The Tribunal continued the January 8, 2026, hearing to February 20, 2026.

District. Therefore, Parent's request for a due process hearing in the above-captioned matter is dismissed.

**ORDER**

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

Rendered and signed on February 20, 2026, in Baton Rouge, Louisiana.



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Lynette Roberson  
Administrative Law Judge  
Division of Administrative Law

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Friday, February 20, 2026, I have sent a copy of this decision/order to all parties of this matter.

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**Clerk of Court**

Division of Administrative Law

### Legend

Parent



Minor



School District

Lincoln Parish Schools

School District Representatives

Ricky Durrett and Phaedra Blake



# Louisiana Special Education Due Process Hearing

56-H-15



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-21160-DOE-IDEA**

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-15**

\*\*\*\*\*

**ORDER DISMISSING DUE PROCESS HEARING REQUEST  
WITHOUT PREJUDICE**

On October 27, 2025, the Louisiana Department of Education (LDOE) received a written request for a due process hearing from Parent on behalf of Minor. On October 29, 2025, LDOE forwarded Parent’s request to the Division of Administrative Law (DAL).

Parent’s due process complaint includes a “Request for Special Education Due Process Hearing” form provided by LDOE. The first page of the due process hearing request form includes Minor’s name, address, and school. The first page of due process hearing request form also includes information about the alleged violation. Parent submitted additional pages with the due process hearing request form, detailing the nature of the problem and a proposed solution.

Parent’s additional pages include allegations of failure to provide a free appropriate public education to all four of [REDACTED] children. Parent provided the following proposed solution: “Parent requests [School District] immediately pay for all 4 [ ] children to go to a private school. The full and complete expense to be bore [sic] by the [School District] for the entirety of their education without stipulations.”

The second page of the due process hearing request form required Parent to certify that [REDACTED] sent a copy of the form to School District and required Parent to sign the due process hearing request form. Both the first and second pages of the due process hearing request form state that

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

Parent must sign the due process hearing request form. Parent did not sign the due process hearing request form, and ■ did not certify that ■ sent a copy of the form to School District.

### **Due Process Complaint Requirements**

The Individuals with Disabilities Education Act (IDEA) requires that a due process complaint contain certain minimal information: 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.<sup>2</sup> In addition, state rules require that due process hearing requests be signed.<sup>3</sup> The party filing a request for a due process hearing must forward a copy of the request for a due process hearing to the other party.<sup>4</sup>

The IDEA contemplates only individual due process hearings.<sup>5</sup> A hearing officer is within his authority to reject a due process hearing request made on behalf of more than one child.<sup>6</sup>

Parent's due process hearing request included Minor's name and address and the name of Minor's school. However, the information Parent provided regarding the Minor's problem and a proposed solution involved allegations and a solution applicable to all of Parent's children. In addition, Parent did not sign the due process hearing request form, and ■ did not certify that ■ forwarded a copy of the request to School District, as required by state rules. For these reasons, Parent's due process complaint does not meet federal and state requirements. Parent's due process complaint is dismissed without prejudice.

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<sup>2</sup> 20 United States Code (U.S.C.) § 1415(b)(7)(A)(ii); 34 Code of Federal Regulations (C.F.R.) § 300.508(b) (2024); Louisiana Administrative Code (LAC) 28:XLIII.508.B.

<sup>3</sup> LAC 28:XLIII.152.A.

<sup>4</sup> LAC 28:XLIII.508.A.1.

<sup>5</sup> *Z.F. ex rel. M.A.F. v. Ripon Unified Sch. Dist.*, 365 F. App'x 77, 79 (9th Cir. 2010).

<sup>6</sup> *Id.* (citing 20 U.S.C. § 1415(b)(6)(A) (mandating an opportunity to present a complaint as to "the child") and 20 U.S.C. 1415(f)(1)(B)(i)(IV) (discussing resolution involving "the parents of the child").

Parent may refile [REDACTED] due process hearing request with LDOE and include only Minor's problem and a proposed solution applicable only to Minor.

**ORDER**

**IT IS ORDERED** that Parent's due process hearing request is insufficient and is **dismissed, without prejudice.**

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

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, November 03, 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

[INTENTIONALLY LEFT BLANK—LEGEND FOLLOWS]

### Legend

Parent



Minor



School District

Lincoln Parish Schools

School District Representatives

Ricky Durrett and Phaedra Blake



# Louisiana Special Education Due Process Hearing

56-H-16



# Louisiana Special Education Due Process Hearing

56-H-17



# Louisiana Special Education Due Process Hearing

56-H-18



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-22682-DOE-IDEA**

**\***

**IN THE MATTER OF**

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**\***

**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-18**

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**ORDER DISMISSING REQUEST FOR A DUE PROCESS HEARING**

On November 20, 2025, the Louisiana Department of Education (LDE) received a written request for a due process hearing from Parent on behalf of Minor. On November 24, 2025, LDE notified School District of Parent on behalf of Minor’s written request for a due process hearing. On December 5, 2025, School District filed a response to the written request for a due process hearing and argued, among other things, that the written request for a due process hearing was vague, ambiguous, and failed to include factual information to support the claim that School District violated the Individuals with Disabilities Education Act (IDEA). School District sought dismissal of the written request for a due process hearing with prejudice and at Parent’s cost.

On December 9, 2025, Administrative Law Judge (ALJ) Adaora Chukudebelu conducted a prehearing conference. Participating in the conference were Parent; Zelda Tucker and Emmanuel Billy, counsel for School District; and School District Representative. After much discussion, ALJ Adaora Chukudebelu notified the parties that Parent on behalf of Minor’s written request for a due process hearing was insufficient and dismissed Parent on behalf of Minor’s written request for a due process hearing without prejudice and without cost to Parent.

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

## **Request for Due Process Hearing**

Parent's written request for a due process hearing did not meet the minimal pleading requirements of a request for due process hearing. The IDEA requires that a request for due process hearing contain the following:<sup>2</sup>

1. the student's name;
2. the address of the residence of the student;
3. the name of the school the student is attending;
4. in the case of a homeless student or youth, available contact information for the student, and the name of the school the student is attending;
5. a description of the nature of the problem of the student relating to the proposed or refused initiation or change, including facts relating to the problem; and
6. a proposed resolution of the problem to the extent known and available to the person requesting the hearing at the time.

Parent's written request for a due process hearing contains Minor's name. It does not contain Minor's address of residence, the name of the school Minor's attends, a description of the nature of the problem of Minor relating to the proposed or refused initiation or change, including facts relating to the problem; and a proposed resolution of the problem to the extent known and available to Parent at the time. Parent's written request for a due process hearing contains conclusory statements but no facts to support those conclusory statements. Because Parent's written request for a due process hearing fails to meet the requirements of federal and state laws, it is dismissed, without prejudice and without cost to Parent.

**[INTENTIONALLY LEFT BLANK, ORDER ON NEXT PAGE]**

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<sup>2</sup> LDE Bulletin 1706 § 508.B. *See also* 20 U.S.C. § 1415(b)(7)(A)(ii) and 34 C.F.R. § 300.508(b) (2025).

**ORDER**

**IT IS ORDERED** that Parent on behalf of Minor’s written request for a due process hearing is insufficient and is **dismissed**, without prejudice and without cost.

**IT IS FURTHER ORDERED** that the matter entitled *PARENT ON BEHALF OF MINOR* bearing docket number *2025-22682-DOE-IDEA* and *agency ID. 56-H-18* is **TERMINATED**.

**IT IS FURTHER ORDERED** that the due process hearing tentatively scheduled for **January 13, 2026**, is **CANCELED**.

Rendered and signed on December 10, 2025, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Wednesday, December 10, 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

**Legend**

Parent



Minor



School District

Caddo Parish Schools

School District Representative

Dr. Shelia Lockett



# Louisiana Special Education Due Process Hearing

56-H-19



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-22676-DOE-IDEA**

**\***

**IN THE MATTER OF**

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**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-19-E**

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**CONFERENCE REPORT AND ORDER TERMINATING ADJUDICATION**

A telephone prehearing conference was held on December 10, 2025, before Administrative Law Judge Esther A. Redmann. Participating in the telephone prehearing conference were Parent and Patricia Adams, counsel for School District.

Parent requested to withdraw her request for a due process hearing, stating she was no longer challenging School District’s Manifestation Determination Review. Parent stated that she filed the request for a due process hearing to appeal School District’s proposed expulsion of Minor. Parent stated that she was initially confused that an expulsion meant Minor could not be educated for the remainder of the 2025-2026 school year. Parent reported that she attended a disciplinary hearing on December 5, 2025, and an IEP meeting on December 10, 2025, just before this prehearing conference. Parent stated that she was satisfied with School District’s decision to educate Minor at an alternative setting for a period of 45 days instead of implementing an expulsion.

On December 10, 2025, Parent filed with the Division of Administrative Law a written motion to withdraw the request for a due process hearing.

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<sup>1</sup> 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 *2025-22676-DOE-IDEA* is dismissed and **TERMINATED**.

Rendered and signed on December 10, 2025, in Baton Rouge, Louisiana.

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Monday, December 15, 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*

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Esther A. Redmann  
Administrative Law Judge  
Division of Administrative Law

### Legend

Parents



Minor



School District

Jefferson Parish Schools

School District Representative

Emily Davis, Special Education Director

**CERTIFICATE OF SERVICE**

I certify that the attached **Conference Report and Order Terminating Adjudication** in **Docket No. 2025-22676-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on December 15, 2025.

Clerk of Court

Division of Administrative Law

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



**BY CERTIFIED MAIL AND ELECTRONIC MAIL**

Patricia A. Adams  
Attorney at Law  
501 Manhattan Boulevard  
Harvey LA 70058  
CERTIFIED MAIL #7019 2280 0000 0865 **6310**  
[padams.legal@jpschools.org](mailto:padams.legal@jpschools.org)

**BY REGULAR, FIRST-CLASS MAIL**

Jefferson Parish Schools  
Attn: Dr. James Gray, Superintendent  
501 Manhattan Boulevard  
Harvey, LA 70058

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-20



STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW

SCHOOL DISTRICT<sup>1</sup>

\* DOCKET NO. 2025-23259-DOE-IDEA

\*

IN THE MATTER OF

\*

\*

PARENT ON BEHALF OF MINOR

\* AGENCY ID. 56-H-20

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**ORDER TERMINATING ADJUDICATION**

On December 22, 2025, Parent withdrew [REDACTED] request for a due process hearing.<sup>2</sup> The telephone pre-hearing conference scheduled for January 6, 2026, at 2:00 p.m., and the hearing tentatively scheduled for January 21, 2026, at 9:00 a.m., are canceled.

**ORDER**

**IT IS ORDERED** that the matter entitled Parent on behalf of Minor bearing docket number 2025-23259-DOE-IDEA is **TERMINATED**.

**IT IS FURTHER ORDERED** that the telephone pre-hearing conference scheduled for January 6, 2026, and the hearing tentatively scheduled for January 21, 2026, are **CANCELED**.

Rendered and signed on December 22, 2025, in New Orleans, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Monday, December 22, 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

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

<sup>2</sup> Prior to Parent’s withdrawal, both School District and Parent filed motions into the administrative record, including School District’s *Motion to Dismiss*, Parent’s *Motion to Dismiss*, and Parent’s *Motion for Default Judgment*. Because Parent has withdrawn [REDACTED] due process hearing request, it is not necessary to address each of the outstanding motions filed by the parties.

**LEGEND**

Parent



Minor



School District

Lycée Français de la Nouvelle-Orleans

School District Representative

Faith Moses



# Louisiana Special Education Due Process Hearing

56-H-21



# Louisiana Special Education Due Process Hearing

56-H-22



# Louisiana Special Education Due Process Hearing

56-H-23-E



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-23555-DOE-IDEA**

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-23-E**

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**ORDER TERMINATING ADJUDICATION**

On December 11, 2025, Parent on behalf of Minor filed a *Withdrawal of Hearing Request*.<sup>2</sup> The request is granted, and the above-captioned adjudication is terminated.

**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 due process hearing is **DISMISSED**, and the adjudication bearing docket number 2025-23555-DOE-IDEA is **TERMINATED**.

Rendered and signed on December 11, 2025, in New Orleans, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

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

**Clerk of Court**

Division of Administrative Law



\_\_\_\_\_  
Leighann N. Guilbeau

Administrative Law Judge

Division of Administrative Law

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

<sup>2</sup> Administrative Law Judge Leighann N. Guilbeau conducted a telephone status conference on December 11, 2025. Timothy J. Riveria, counsel, appeared on behalf of School District. Parent was not present for the conference. The undersigned advised counsel, on the record, that Parent on behalf of Minor had filed a *Withdrawal of Hearing Request*.

**Legend**

Parent:	[REDACTED]
Minor:	[REDACTED]
School:	[REDACTED]
School District:	Lincoln Parish Schools
School District Representative:	Phaedra Blake

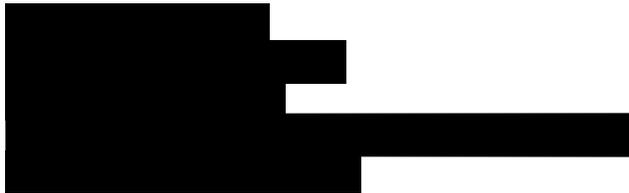
**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-23555-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on December 15, 2025.

Clerk of Court

Division of Administrative Law

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



**BY CERTIFIED MAIL AND ELECTRONIC MAIL**

Lincoln Parish Schools  
Attn: Phaedra Blake  
410 South Farmerville Street  
Ruston LA 71270  
CERTIFIED MAIL #7019 2280 0000 0865 6334  
[phaedra.blake@lincolnschools.org](mailto:phaedra.blake@lincolnschools.org)

**BY REGULAR, FIRST-CLASS MAIL**

Lincoln Parish Schools  
Attn: Ricky Durrett, Superintendent  
410 South Farmerville Street  
Ruston, LA 71270

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-24



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-23556-DOE-IDEA**

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-24**

\*\*\*\*\*

**ORDER TERMINATING ADJUDICATION**

Parent on behalf of Minor filed a due process hearing request against School District on December 4, 2025. An in-person due process hearing is scheduled for February 18, 2026, and February 20, 2026, commencing at 9:00 a.m., each day, at School District’s office.

On February 2, 2026, Parent filed a withdrawal of their due process hearing request, indicating that a settlement agreement had been reached with School District resolving all matters contained in the due process hearing request.

**ORDER**

**IT IS ORDERED** that the matter entitled *Parent on behalf of Minor* bearing docket number *2025-23556-DOE-IDEA* is **TERMINATED**.

**IT IS FURTHER ORDERED** that the in-person hearing scheduled for February 18, 2026, and February 20, 2026, commencing at 9:00 a.m., each day at School District’s office, is **CANCELLED**.

**IT IS FURTHER ORDERED** that the prehearing telephone status conference scheduled for February 6, 2026, at 10:00 a.m., is **CANCELLED**.

Rendered and signed on February 2, 2026, in Baton Rouge, Louisiana.

*Anthony J Russo*

\_\_\_\_\_  
Anthony J. Russo  
Administrative Law Judge  
Division of Administrative Law

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

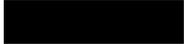
I certify that on Wednesday, February 04, 2026, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law

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

**LEGEND**

Parent	
Minor	
School District	West Carroll Parish School District
School	
School District Representative	Emily Bradley
School District Office	West Carroll Parish, 410 Willis Street, Oak Grove, Louisiana 71263

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2025-23556-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on February 4, 2026.

Clerk of Court

Division of Administrative Law

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



**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Wayne T. Stewart  
Attorney at Law  
2431 South Acadian Thruway, Suite 600  
Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **6433**  
[wstewart@hamsil.com](mailto:wstewart@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL**

West Carroll Parish School Board  
Attn: Emily Bradley, Superintendent  
410 Willis Street  
Oak Grove, LA 71263

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-25



# Louisiana Special Education Due Process Hearing

56-H-26



# Louisiana Special Education Due Process Hearing

56-H-27



# Louisiana Special Education Due Process Hearing

56-H-28-E



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2025-24491-DOE-IDEA**

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENT ON BEHALF OF MINOR**

**\* AGENCY LOG NO. 56-H-28-E**

\*\*\*\*\*

**DECISION AND ORDER**

Parent, on behalf of Minor, filed an expedited due process hearing request under the Individuals with Disabilities Education Act (IDEA), alleging that School District denied Minor a free appropriate public education (FAPE) by (1) failing to determine Minor’s conduct was caused by, or directly and substantially related to, Minor’s disability; (2) failing to determine Minor’s conduct was the direct result of School District’s failure to implement Minor’s Individualized Education Plan and the incorporated Behavioral Intervention Plan; (3) failing to provide procedural requisites for the Manifestation Determine Review; and (4) failing to provide special educational services during a change of placement. Parent’s complaint is **DISMISSED** because Parent failed to prove School District denied Minor FAPE.

**APPEARANCES**

An expedited due process hearing was held on February 2 – 4, 2026 via ZOOM video conferencing services, before Administrative Law Judge Esther A. Redmann. Present at the hearing were Parent on behalf of Minor and Kimona Hogan, Parent’s counsel of record. Present for School District were Parris Taylor, counsel of record, and Students with Exceptionalities Director.

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

## **JURISDICTIONAL AUTHORITY**

This adjudication is conducted in accordance with IDEA, 20 United States Code (U.S.C.) § 1400 *et seq.*; 34 Code of Federal Regulations (C.F.R.) § 300 *et seq.*; Louisiana Revised Statutes (La. R.S.) 17:1941 *et seq.*; Louisiana Bulletin 1508, Pupil Appraisal Handbook, Louisiana Administrative Code (LAC) 28:CI; Louisiana Bulletin 1706, Regulations for Implementation of the Children with Exceptionalities Act, LAC 28:XLIII; Louisiana Bulletin 1530, IEP Handbook for Students with Exceptionalities, LAC 28:XCVII; and the Division of Administrative Law's enabling legislation, La. R.S. 49:991 *et seq.*

## **STATEMENT OF THE CASE**

Parent filed an expedited due process hearing request on December 19, 2025, following School District's completion of a Manifestation Determination Review (MDR). Parent alleged that School District denied Minor FAPE by (1) failing to determine Minor's conduct was caused by, or directly and substantially related to, Minor's disability; (2) failing to determine Minor's conduct was the direct result of School District's failure to implement Minor's Individualized Education Plan (IEP) and the incorporated Behavioral Intervention Plan (BIP), specifically Minor's required one-on-one (1:1) Paraprofessional supervision; (3) failing to provide procedural safeguards for the MDR; and (4) failing to provide general and special educational services while Minor was suspended and later once the disciplinary hearing officer expelled Minor. Parent argued that Minor's behavior on December 10, 2025, was a manifestation of ■■■ disability, including Minor's poor judgment marked by ■■■ impulsivity. Parent alleged School District failed to implement Minor's BIP because Paraprofessional was not in close range to prevent Minor from acting impulsively and taking out ■■■ cellphone to show an explicit picture to another student. Parent maintained that School District conducted an invalid MDR because it

was conducted without Parent’s participation and without first providing Parent with specific documents. Parent sought compensatory education for alleged missed minutes of general and special education instruction during Minor’s suspension and later, after the Disciplinary Expulsion Hearing and the hearing officer expelled Minor for his December 10, 2025, conduct.

School District claimed that Parent did not prove Minor suffered a substantial denial of FAPE. School District maintained that Minor’s IEPs and revised BIP were implemented in accordance with Minor’s State Facilitated IEP following a recent evaluation and that Minor’s conduct on December 10, 2025, was not the result of a failure to implement the revised BIP. School District maintained that Minor’s December 10, 2025, conduct was not due to a manifestation of ■■■ disability. School District maintained that Parent did not prove any procedural violations regarding the MDR and that Parent did not prove the claim for compensatory education.

At the hearing, Parent, Students with Exceptionalities Director, Students with Exceptionalities Department Leader, Principal, Vice Principal, School District Psychologist, Regular Education Teacher, Student Resource Officer, School District Mental Health Provider, and Paraprofessional testified. Students with Exceptionalities Director and School District Psychologist also provided expert opinions after being accepted as experts for School District. Parent’s and School District’s exhibits were admitted into evidence.<sup>2</sup>

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<sup>2</sup> Counsel for the parties stipulated to the admissibility of Joint Exhibits 1, 2, and 3, which were admitted into evidence. Joint Exhibit 1 comprises SD-16 and P-1 (the December 19, 2025, MDR); Joint Exhibit 2 comprises SD-9 and P-12 (the December 19, 2025, Paraprofessional Statement); and Joint Exhibit 3 comprises SD-12 and components contained in P-3, P-4, P-5, and P-6 (the August 12, 2025, State Facilitated IEP). Also admitted were P-7, P-9, P-10, P-11, P-13, and SD -1 through SD-22, not already admitted in the joint exhibits. At Parent’s request, the tribunal took judicial notice of the Louisiana Department of Education’s (LDOE), “Louisiana’s Educational Rights of Children with Disabilities, Special Education Processes and Procedural Safeguards” May 2025 manual, located at [louisiana's-educational-rights-of-children-with-disabilities.pdf](#) on LDOE’s website (last visited February 20, 2026). During the hearing, the manual was referred to by Parent, Principal, and Students with Exceptionalities Director as the “Rights Handbook.”

### **Findings of Fact**

Minor is a student in the [REDACTED] grade enrolled in High School in School District during the 2025-2026 school year. School District is the Local Education Agency that has the responsibility of providing Minor with FAPE. Minor qualifies as a student with disabilities under the Individuals with Disabilities Education Act (IDEA). Minor was identified as having the IDEA exceptionalities (disabilities) of Emotional Disturbance and Other Health Impairment due to medical diagnoses of Attention Deficit Hyperactivity Disorder – Hyperactive/Impulsive type (ADHD) and Oppositional Defiant Disorder (ODD).<sup>3</sup>

#### **August 12, 2025, State Facilitated IEP and Revised BIP**

Minor's most recent IEP and revised BIP for the 2025-2026 school year were developed at a State Facilitated IEP meeting on August 12, 2025.<sup>4</sup> Minor continued to qualify as a student with exceptionalities.<sup>5</sup> The August 12, 2025, IEP mirrors Minor's most recent multidiscipline evaluation conducted on May 24, 2024.<sup>6</sup> School District's IEP key stakeholders and Parent participated in the State Facilitated IEP meeting.<sup>7</sup> Parent did not allege any procedural violations occurred with respect to Minor's August 12, 2025, IEP and BIP.

Minor's August 12, 2025, IEP states that according to his May 2024 Functional Behavioral Assessment (FBA)<sup>8</sup> including the rating scales, Minor has functional needs in the areas of attention, social skills, and sensation seeking.<sup>9</sup>

Parental concerns documented at the August 12, 2025, IEP did not include concerns to

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<sup>3</sup> Joint Exhibit 3.

<sup>4</sup> Joint Exhibit 3, SD-11, SD-13, and expert opinions of School District Psychologist and Students with Exceptionalities Director.

<sup>5</sup> Joint Exhibit 3.

<sup>6</sup> Joint Exhibit 3, SD-11, SD-13, and expert opinions of School District Psychologist and Students with Exceptionalities Director.

<sup>7</sup> Joint Exhibit 3.

<sup>8</sup> Joint Exhibit 3 and SD-11.

<sup>9</sup> Joint Exhibit 3.

address any behaviors of Minor exposing ██████ to other students or exposing other students to images of ██████ genitalia on ██████ cellphone.<sup>10</sup>

The IEP incorporated the FBA's identification that Minor has behaviors of noncompliance shown by aggression (verbal and physical altercations) and being out of assigned area (elopement) and that the behaviors interfere with Minor's learning.<sup>11</sup> Minor's BIP was revised August 12, 2025, to address behaviors of elopement and aggression shown through verbal or physical altercations.<sup>12</sup>

As a related service in Minor's August 12, 2025, revised BIP, school-based counseling was implemented to be provided by School District's Mental Health Professional (MHP) but limited to, at Parent's request, counseling towards Minor's self-regulation to complete assignments.<sup>13</sup> Parent instructed that Minor had private counseling and that the MHP could implement "check in" self-advocacy strategies only to see if behaviors of noncompliance displayed through aggression and elopement impeded Minor's ability to complete assignments.<sup>14</sup> Minor's IEP provided Minor would receive 30 minutes of MHP services weekly to assist Minor with appropriate self-advocacy skills for task completion.<sup>15</sup> The targeting supports were complying with directives within one minute of the request by authority such as teachers, with no more than two prompts and using self-advocacy strategies taught to appropriately respond.<sup>16</sup> Parent prohibited the MHP from providing any mental health counseling.<sup>17</sup>

MHP entered progress monitoring notes into School District's database for tracking

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<sup>10</sup> *Id.*

<sup>11</sup> Joint Exhibit 3,SD-11, SD-13, testimony of MHP, and testimonies and expert opinions of School District Psychologist and Students with Exceptionalities Director.

<sup>12</sup> SD-13, testimony of Students with Exceptionalities Department Leader, and testimony/expert opinion of Students with Exceptionalities Director.

<sup>13</sup> Joint Exhibit 3,SD-11, SD-13, testimony of School District Psychologist, and testimony of MHP.

<sup>14</sup> Joint Exhibit 3,SD-11, SD-13, testimony of School District Psychologist, and testimony of MHP.

<sup>15</sup> Joint Exhibit 3,SD-11, SD-13, testimony of School District Psychologist, and testimony of MHP.

<sup>16</sup> Joint Exhibit 3

<sup>17</sup> Testimony of MHP.

Minor's progress in reaching the behavior goal of reducing daily behaviors by 50 percent.<sup>18</sup> Students with Exceptionalities Department Leader monitored the progress reported by MHP and emailed quarterly progress notes to Parent that included MHP progress information.<sup>19</sup> Minor's IEP did not require MHP to send Parent incident reports, including a report following Minor's December 10, 2025, conduct that prompted an MDR.<sup>20</sup> MHP implemented the behavior strategies of the BIP, including MHP providing check in times.<sup>21</sup>

Per Minor's August 12, 2025, IEP, Principal and Vice Principal assigned Paraprofessional to Minor to monitor ■ transition during structured and unstructured periods, including transition between classes, to prevent Minor's behaviors of elopement and aggression shown through verbal and physical altercations, and to assist Minor with in-class participation.<sup>22</sup> At Parent's request, Paraprofessional was to shadow at a distance that would not draw attention to Minor's peers that Minor had a Paraprofessional and to not hover over Minor.<sup>23</sup>

Minor's BIP did not require Paraprofessional to keep logs or collect data for progress monitoring; instead, Paraprofessional reported Minor's progress weekly to Students with Exceptionalities Department Leader towards the IEP goal of reducing the daily average of behavior incidences of elopement and fighting to 50 percent.<sup>24</sup> BIP did not require Paraprofessional to email Parent an incident report. Students with Exceptionalities Department Leader met with Paraprofessional after the IEP meeting to review the IEP, BIP, and the

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<sup>18</sup> Testimony of Students with Exceptionalities Department Leader and testimony of MHP.

<sup>19</sup> Testimony of Students with Exceptionalities Department Leader.

<sup>20</sup> Joint Exhibit 3, SD-13, testimony of Students with Exceptionalities Department Leader and testimony of MHP.

<sup>21</sup> Joint Exhibit 3, SD-13, SD-18, testimony of Students with Exceptionalities Department Leader, testimony of School District Psychologist, and testimony of MHP.

<sup>22</sup> Joint Exhibit 3, SD-13, testimony of Students With Exceptionalities Department Leader, testimony of Vice Principal, and testimony of Paraprofessional.

<sup>23</sup> Testimony of Students With Exceptionalities Department Leader, testimony of Paraprofessional, and testimony of School District Psychologist.

<sup>24</sup> Joint Exhibit 1, SD-13, testimony of Testimony of Students with Exceptionalities Department Leader, and testimony of Paraprofessional.

Paraprofessional's responsibilities, duties, and professional expectations.<sup>25</sup>

Minor's August 12, 2025, IEP provides [REDACTED] least restrictive educational environment is the general education setting with a resource setting for study skills of 180 minutes per day, five days a week and two, 25 minutes per day one day a week (flex periods in resource setting) to receive assistance from teachers to modify any instructions if needed.<sup>26</sup>

### **December 10, 2025, Conduct**

On December 10, 2025, Minor was transitioning from [REDACTED] first to second period class within a short distance, "two long strides" of Paraprofessional.<sup>27</sup> While walking to [REDACTED] second period class, Minor initially talked to [REDACTED].<sup>28</sup> Minor approached another female student (minor female student) and began to talk to her. Minor had a calm and pleasant demeanor even after the minor female student told Minor she did not want to talk to Minor. Minor did not display defiant or aggressive behaviors, and Minor did not exhibit threatening body language. There were no demands placed on Minor during the transition.<sup>29</sup> While speaking to the minor female student, Minor surreptitiously retrieved [REDACTED] cellphone and exposed a picture of [REDACTED] genitalia on [REDACTED] cellphone to the minor female student.<sup>30</sup> The minor female student turned around with a seemingly shocked or repulsive reaction and went towards her classroom.<sup>31</sup> Minor went to Minor's classroom.<sup>32</sup> Paraprofessional closely shadowed Minor throughout Minor's transition, at a very close distance.<sup>33</sup>

The minor female student reported Minor's conduct to Vice Principal, including that

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<sup>25</sup> SD-13 and testimony of Students with Exceptionalities Department Leader.

<sup>26</sup> Joint Exhibit 1 and testimony of Students with Exceptionalities Department Leader.

<sup>27</sup> SD-2, SD-8, testimony of Students with Exceptionalities Director.

<sup>28</sup> Testimony of Paraprofessional.

<sup>29</sup> Testimony of Students with Exceptionalities Department Leader

<sup>30</sup> Students with Exceptionalities Director, SD-2, SD-8, SD-9, and SD-10.

<sup>31</sup> SD-2 and SD-10.

<sup>32</sup> Testimony of Paraprofessional.

<sup>33</sup> *Id.*

Minor showed her a picture of [REDACTED].<sup>34</sup> The minor female student was so upset and unnerved that she could not take the LEAP test.<sup>35</sup> The minor female student provided a written statement to School District.<sup>36</sup> Paraprofessional wrote a statement documenting the December 10, 2025, incident.<sup>37</sup>

Vice Principal and Students with Exceptionalities Director viewed redacted video recordings of the December 10, 2025, incident.<sup>38</sup> Three segments of a few seconds of redacted video recordings were shown during the hearing.<sup>39</sup> The video shows Paraprofessional shadowing Minor at a close distance but not right next to or right behind [REDACTED].<sup>40</sup> The video shows Minor talking to one student while transitioning in the hallway, then shows Minor talking to the minor female student and stopping briefly to show her a cellphone.<sup>41</sup> The video shows the minor female student turning around, displaying a repulsive reaction, and walking away in the opposite direction of Minor.<sup>42</sup>

#### **Notifications to Parent of Manifestation Determination Review.**

Included in Principal's emails to Parent beginning on December 11, 2025, were School District's requests to schedule the MDR. At Parent's request to conduct an MDR within five days, School District scheduled the MDR for December 15, 2025, and provided Parent the requisite Prior Written Notice.<sup>43</sup> School District attached to the emails scheduling the December

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<sup>34</sup> Testimony of Students with Exceptionalities Director and testimony of Vice Principal.

<sup>35</sup> Testimony of Vice Principal.

<sup>36</sup> SD-10.

<sup>37</sup> SD-9 and testimony of Paraprofessional.

<sup>38</sup> SD-2, testimony Vice Principal and expert opinions of School District Psychologist and Students with Exceptionalities Director.

<sup>39</sup> SD-2, consisting of three short video segments entitled, "Para in hallway," "Student with Eggplant (colored) Sweatshirt," and "Student with Grey Shirt."

<sup>40</sup> SD-2.

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> SD-3, SD-4a and 4b, and testimony of Principal.

15, 2025, MDR, all relevant records Parent requested.<sup>44</sup> Included in the emails exchanged were Principal's request for a statement from Minor to obtain Minor's version of the incident, and Parent's response that ■ would not allow Minor to give a written statement, given the "sensitive nature of the concern and the potential legal implications."

Parent stated ■ would not attend the MDR until ■ received a written document from Principal providing a clear timeline of the suspension, a summary of evidence that the IEP and BIP were implemented, clarification and evidence of how School District determined the conduct constituted "obscene behavior/possession of obscene material," whether School District personally viewed the image, evidence it otherwise relied upon in making the "obscenity" determination, and evidence of School District's compliance with MDR requirements where applicable. A document summarizing these requests did not exist.<sup>45</sup> Parent also requested the written notice of the disciplinary action, MHP logs, Paraprofessional logs, and all evidence of School District's compliance with MDR requirements where applicable.<sup>46</sup> Parent did not propose alternative dates of ■ availability to attend an MDR.<sup>47</sup>

School District attempted to reschedule the MDR for December 17, 2025, and Parent stated ■ would not attend until ■ viewed the video recording of the December 10, 2025, incident and until ■ received that list of documents.<sup>48</sup> School District offered two opportunities for Parent to view the redacted video recording, but Parent did not appear for either proposed viewing date or request to schedule an alternative date.<sup>49</sup>

Principal and Students With Exceptionalities Director responded to Parent's requests to

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<sup>44</sup> SD-3, SD-4a and 4b, and testimony of Principal.

<sup>45</sup> Testimony of Principal.

<sup>46</sup> SD-3, SD-4a and 4b, SD-5, testimony of Parent, testimony of Students with Exceptionalities Director, and testimony of Principal.

<sup>47</sup> SD-3, SD-4a and 4b, SD-5, and testimony of Principal.

<sup>48</sup> SD-6a and 6b, SD-5, SD-7a and 7b, and testimony of Principal.

<sup>49</sup> SD-3, SD-4a, and testimony of Principal.

receive documents by sending the relevant documents the MDR Team would review, including the incident report, Minor's IEP and BIP, witness's statement, and Paraprofessional's statement.<sup>50</sup> Parent had already been provided progress reports incorporating MHP services on a quarterly basis with Minor's report cards.<sup>51</sup>

Students with Exceptionalities Director communicated with Parent, attempting to explain the difference between the MDR purpose of determining whether the conduct was related to Minor's disability or the result of a failure to implement Minor's IEP, and a discipline/expulsion hearing, which includes a determination of the conduct that violated School District's code of conduct rules.<sup>52</sup> Students with Exceptionalities Director sent the relevant documents the MDR team intended to review and assured Parent [REDACTED] would have sufficient information to fully participate in the MDR, where all participants would review together all relevant information.<sup>53</sup>

School District proposed a third MDR meeting by December 19, 2025.<sup>54</sup> Parent relied upon assistance from the Louisiana advocacy group, Families Helping Families (FHF), and her review of the LDOE Rights Booklet.<sup>55</sup> Based on her reliance on FHF's advice and [REDACTED] review of the LDOE Rights Booklet, Parent did not attend the MDR because although [REDACTED] received all relevant documents, [REDACTED] believed [REDACTED] needed to review Paraprofessional logs and MHP logs.<sup>56</sup>

School District held the MDR on December 19, 2025, despite Parent's unwillingness to attend. Parent received Prior Written Notice for each scheduled MDR, including the December 19, 2025, MDR.<sup>57</sup> School District hoped Parent would participate to discuss Parent's perspective

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<sup>50</sup> SD-3, SD-4a and 4b, SD-5, SD-7a and 7b, testimony of Students With Exceptionalities Director, and testimony of Principal.

<sup>51</sup> Testimony of Students with Exceptionalities Department Leader.

<sup>52</sup> SD-5, P-9, and testimony of Students with Exceptionalities Director.

<sup>53</sup> SD-5, P-9, and testimony of Students with Exceptionalities Director.

<sup>54</sup> SD-7a and 7b, testimony of Principal, and testimony of Students with Exceptionalities Director.

<sup>55</sup> Testimony of Parent.

<sup>56</sup> Testimony of Parent and testimony of Students with Exceptionalities Director.

<sup>57</sup> SD-4b, SD-6b, and SD-7b.

of Minor's conduct, but School District had duties to proceed to meet the mandated deadline and to observe Minor's rights to having the MDR conducted timely.<sup>58</sup>

**Manifestation Determination Review on December 19, 2025.**

On December 19, 2025, School District conducted the MDR.<sup>59</sup> School District conducts the MDR first because if the MDR team determines the behavior was a manifestation of a student's disability, the disciplinary proceedings to change a placement do not occur, and instead, an IEP is convened to revise an existing BIP or determine other necessary services such as scheduling an assessment.<sup>60</sup> Although Minor had an initial 7-day, out-of-school suspension, School District conducted an MDR because there was a potential for an expulsion based on the criminal nature of the conduct.<sup>61</sup>

Parent received Prior Written Notice for all scheduled MDRs.<sup>62</sup> The MDR participants (MDR TEAM) included Students with Exceptionalities Director, Students with Exceptionalities Department Leader, Vice Principal as Officially Designated Representative (ODR), and Regular Education Teacher, who teaches Minor's inclusion class consisting of many students with ADHD.<sup>63</sup> Neither Parent nor Minor attended. The behavior incident reviewed was "obscene behavior or possession of obscene/pornographic materials."<sup>64</sup> The behavior incident report states that Parent was notified December 10, 2025, that Minor was suspended from December 11, 2025, pending the scheduling of the MDR or at least until January 6, 2026, because the winter break began on the afternoon of December 19, 2025, through January 6, 2026.<sup>65</sup> The behavior incident description was "Student showed a female student a picture of ■■■ genitals on ■■■ phone.

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<sup>58</sup> SD-5 and testimony of Students with Exceptionalities Director.

<sup>59</sup> Joint Exhibit 1.

<sup>60</sup> Testimony of Students with Exceptionalities Director.

<sup>61</sup> Testimony of Students with Exceptionalities Director and Principal.

<sup>62</sup> SD-7b.

<sup>63</sup> Joint Exhibit 1.

<sup>64</sup> *Id. and SD-8*

<sup>65</sup> SD-8, testimony of Principal, and testimony of Students with Exceptionalities Director.

This occurred in the hallway during class change. The minor female student reported incident to administration who notified SRO.”<sup>66</sup> Minor was not cited for violating rules prohibiting cellphone usage.<sup>67</sup> The MDR Team was more focused on a serious criminal act having been committed by Minor against a minor female student.<sup>68</sup>

Students with Exceptionalities Department Leader provided the MDR Team with Minor’s official folder containing all of Minor’s records, which were reviewed during the MDR meeting.<sup>69</sup> Minor’s records contained in the official folder would have been provided to Parent at the MDR meeting had Parent attended.<sup>70</sup> The MDR team reviewed the following documents during the MDR meeting: Minor’s August 12, 2025, State Facilitated IEP, revised August 12, 2025, BIP, and Minor’s assessments, and considered ■■■ current educational placement of general education with resources setting of 180 minutes, five days a week, and two, 25 minute flex periods in resources setting.<sup>71</sup>

The MDR Team discussed that Minor was making academic progress, passing all classes and generally “on track” in all classes per ■■■ IEP. The MDR Team discussed that Minor remained on task, did not engage negatively with students, and was provided ■■■ 1:1 Paraprofessional in the classes to provide redirection if needed. The MDR Team did not specifically review MHP notes because Students with Exceptionalities Department Leader provided the MDR Team with information based on her monitoring Minor’s progress in

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<sup>66</sup> SD-8, testimony of Principal, and testimony of Students with Exceptionalities Director.

<sup>67</sup> SD-8, testimony of Principal, and testimony of Students with Exceptionalities Director.

<sup>68</sup> SD-8, testimony of Principal, and testimony of Students with Exceptionalities Director.

<sup>69</sup> Testimony of Students with Exceptionalities Department Leader and testimony of Students with Exceptionalities Director.

<sup>70</sup> Testimony of Students with Exceptionalities Department Leader.

<sup>71</sup> Joint Exhibit 1, SD-11, SD-13, SD-14, testimony of Students with Exceptionalities Department Leader, Students with Exceptionalities Director, testimony of Regular Education Teacher, and testimony of Vice Principal/ODR.

fulfillment of her duty to ensure the IEP and BIP were implemented.<sup>72</sup> The MDR Team discussed that Minor had no substantial amount of referrals for discipline during the 2025-2026 school year.<sup>73</sup> Student Resource Officer (SRO) was impressed with Minor's compliance during the 2025-2026 school year, based on SRO not hearing Minor's name "come across the radio," for behavioral incidences, and SRO's observations of Minor conducting [REDACTED] appropriately in the hallways during the 2025-2026 school year.<sup>74</sup>

The MDR Team reviewed Minor's discipline history, which included: a fight with a headlock, but the fight was not sexual in nature, being in unauthorized areas, and tardiness, and the MDR Team discussed that Minor had no prior disciplines for the type of conduct that occurred on December 10, 2025: showing a female student a picture of [REDACTED] genitals on [REDACTED] cellphone.<sup>75</sup> Minor had a prior history of using profane and/or obscene language by calling another student a "bad" word when that student called him a "bad" word.<sup>76</sup> Minor's conduct of exposing a picture of [REDACTED] genitalia to a female student was considered by the MDR Team to be significantly different from Minor's other infractions, including significantly different from Minor's prior history of calling a student a "bad" word, even though both behavioral violations include the word "obscene."<sup>77</sup>

Students with Exceptionalities Director, School District Psychologist, and Students with Exceptionalities Department Leader knew that Minor was accused of allegedly exposing [REDACTED] to another student while in junior high school, that it was only a rumor, that the allegation never

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<sup>72</sup> Testimony of Students with Exceptionalities Department Leader, Students with Exceptionalities Director, testimony of Regular Education Teacher, and testimony of Vice Principal/ODR.

<sup>73</sup> Testimony of Students with Exceptionalities Department Leader, Students with Exceptionalities Director, testimony of Regular Education Teacher, and testimony of Vice Principal/ODR.

<sup>74</sup> Testimony of SRO.

<sup>75</sup> SD-15, testimony of Students with Exceptionalities Department Leader, Students with Exceptionalities Director, testimony of Regular Education Teacher, and testimony of Vice Principal/ODR.

<sup>76</sup> SD-15.

<sup>77</sup> Testimony of Students with Exceptionalities Department Leader, Students with Exceptionalities Director, testimony of Regular Education Teacher, and testimony of Vice Principal/ODR.

materialized, that it was a “he said/she said” accusation that was not witnessed by any adults or with any substantiating evidence, that there was no video evidence, and that there was no disciplinary action taken or recordation of the alleged event in Minor’s records; it was only an allegation.<sup>78</sup>

At the August 12, 2025, State Facilitated IEP meeting that created Minor’s IEP and BIP in place on December 10, 2025, Parent did not discuss concerns that Minor’s IEP or BIP should include interventions to address Minor having any behavioral needs to prevent Minor from exposing ██████ to other students.<sup>79</sup>

Vice Principal as ODR and Students with Exceptionalities Director shared with the MDR Team their observations from their review of the video.<sup>80</sup> The MDR Team reviewed a December 10, 2025, statement written by the minor female student who Minor showed the picture of ██████ genitals.<sup>81</sup>

To determine whether Minor’s behavior was a manifestation of his disabilities, the MDR Team discussed Minor’s exceptionalities of Emotional Disturbance and Other Health Impairments, ODD and ADHD due to ██████ medical diagnoses. Minor’s exceptionality of Emotional Disturbance manifested when a demand was placed upon ██████ by a teacher, such as demanding Minor to sit down or take out paper, and ██████ manifested behavior was oppositional defiance.<sup>82</sup> The MDR team considered that during the December 10, 2025, incident, there were no demands placed on Minor. School District concluded that Minor’s conduct of showing a

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<sup>78</sup> Testimony of School District Psychologist, testimony of Students with Exceptionalities Department Leader, and Students with Exceptionalities Director.

<sup>79</sup> Joint Exhibit 3 and SD-13.

<sup>80</sup> Testimony of Students with Exceptionalities Department Leader, Students with Exceptionalities Director, testimony of Regular Education Teacher, and testimony of Vice Principal/ODR.

<sup>81</sup> SD-10 and testimony of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>82</sup> Expert opinion of School Psychologist, expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

female student a picture of ■■■ genitals on ■■■ cellphone was not oppositional defiant behavior from ■■■ ODD diagnosis.<sup>83</sup> The MDR Team considered the written statement of the minor female student, who stated she was not interested in talking to ■■■, and noted Minor remained calm and friendly and did not exhibit aggressive conduct in response, including that ■■■ did not push the minor female student against a wall and that ■■■ did not elope from the scheduled area to transition to ■■■ next class. The MDR Team considered Minor had been friendly with ■■■ peers during the school year and had no referrals in the school year for aggressive or unfriendly interactions with peers.<sup>84</sup>

The MDR Team's consensus was Minor's conduct was not a manifestation of Minor's disability, nor was it substantially related to Minor's disability.<sup>85</sup> The MDR Team concluded that Minor's disability manifests by aggressive behavior and elopement and that ■■■ disability does not manifest by taking a picture of ■■■ genitals on ■■■ cellphone in a seemingly premeditated manner and choosing to show it to a minor female student in a secret manner.<sup>86</sup>

The MDR Team considered that the behavior was not a manifestation of Minor having impulsivity as a result of ■■■ medical diagnosis of ADHD because the conduct required planning, including taking a picture of ■■■ genitalia, and choosing to slowly position ■■■ in a place to conspicuously show the explicit image to the female student while displaying calmness and a friendly demeanor, and while walking and talking to the female student, even after the female

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<sup>83</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>84</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>85</sup> Joint Exhibit 1, expert opinion of School Psychologist, expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>86</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

student told Minor she was not interested in talking to Minor.<sup>87</sup>

The MDR Team considered that Minor's impulsivity from [REDACTED] medical diagnosis of ADHD manifests in a reactionary manner when Minor displays oppositional defiant behavior and that Minor was not displaying reactionary, oppositional defiant behavior at the time of December 10, 2025, incident.<sup>88</sup> The MDR Team's consensus was the conduct was premeditated and not impulsive.<sup>89</sup>

School District Psychologist opined that the MDR Team correctly concluded that Minor's conduct was not a manifestation of [REDACTED] disability.<sup>90</sup>

The MDR Team's consensus was that Minor's conduct was not the result of School District's failure to implement the IEP and incorporated BIP.<sup>91</sup> The MDR Team noted that Minor was receiving [REDACTED] resource minutes since the beginning of the school year. The MDR Team considered that Minor's IEP identified Minor's functional needs of seeking attention and sensation was exhibited, or manifested, by Minor's refusal to comply with directions, Minor's making inappropriate comments to staff and peers, and [REDACTED] leaving his assigned area.<sup>92</sup> The MDR Team discussed that Minor was exhibiting good interpersonal social relationships with [REDACTED] peers and including during the December 10, 2025, incident. The MDR Team concluded that Minor's act of showing a picture of [REDACTED] genitals on [REDACTED] cellphone to a female student was not a behavior of refusing to comply with directives, inappropriately commenting to staff and peers, or

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<sup>87</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>88</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>89</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>90</sup> Expert opinion of School District's Psychologist.

<sup>91</sup> Joint Exhibit 1, expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>92</sup> Joint Exhibit 3, expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

leaving the assigned area, and School District's Psychologist opined the conclusion was correct.<sup>93</sup>

Minor's August 12, 2025, revised BIP in place on December 10, 2025, was reviewed by the MDR Team.<sup>94</sup> Minor's August 12, 2025, BIP addressed Minor's behaviors of elopement and aggression.<sup>95</sup> The former BIP had interventions to address Minor's then behaviors of taunting and physical aggression.<sup>96</sup> The revised BIP included data from the previous assessments that when a request/challenge from adult/peers occurs, Minor reacts with verbal aggression and leaving the assigned area in noncompliance to gain attention.<sup>97</sup> Minor did not exhibit elopement or aggression during the December 10, 2025, incident.<sup>98</sup> Minor's evaluation, IEP, and revised BIP did not include behavior concerns for showing pictures of [REDACTED] genitalia to minor students for Paraprofessional to monitor behaviors of showing explicit images to minors. Parent had not discussed concerns for Minor having this behavior nor requested services to address any such behavior of showing explicit pictures of [REDACTED] to other students.<sup>99</sup> Minor did not have prior incidents of this type behavior in [REDACTED] discipline report history.

Minor was assigned a Paraprofessional to redirect Minor to avoid elopement and verbal and physical altercations resulting from oppositional defiant behaviors.<sup>100</sup> Paraprofessional was in close range and eyesight of Minor, close enough to redirect, if necessary, to avoid Minor

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<sup>93</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, testimony of Regular Education Teacher, and expert opinion of School District Psychologist.

<sup>94</sup> SD-13, expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>95</sup> SD-13, expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>96</sup> SD-14 and testimony of Students with Exceptionalities Director.

<sup>97</sup> SD-14 and testimony of Students with Exceptionalities Director.

<sup>98</sup> SD-2, testimony of Paraprofessional, expert opinion of Students with Exceptionalities Director, expert opinion of School District Psychologist, testimony of Students with Exceptionalities Department Leader, testimony of VP, and testimony of Regular Education Teacher.

<sup>99</sup> Joint Exhibit 3.

<sup>100</sup> SD-13, testimony of Students with Exceptionalities Department Leader, testimony of Students with Exceptionalities Director, testimony of School District Psychologist, and testimony of Paraprofessional.

eloping or engaging in verbal or physical altercations. The MDR Team concluded Paraprofessional implemented the BIP and there were no behaviors of elopement or fighting for her to redirect during the December 10, 2025, incident; School District Psychologist opined the conclusion was correct.<sup>101</sup>

Minor saw ■■■ MHP weekly.<sup>102</sup> At Parent's request, the MHP was allowed only to counsel Minor towards the goal of self-regulation to complete assignments. The MDR Team concluded that the preventive strategies of the BIP through MHP counseling were implemented with positive responses to interventions, evidenced by Minor having no referrals for major incidences since the start of the 2025-2026 school year. The MDR Team concluded that the December 10, 2025, conduct was not a result of MHP's failure to implement strategies of self-regulation towards assignment completion, as the conduct of showing an explicit picture to a female student was not within the identified behaviors of the IEP or revised BIP of elopement or aggression; School District Psychologist opined the conclusion was correct.<sup>103</sup>

On December 19, 2025, School District gave Parent prior written notice of MDR results and recommendation for expulsion pending the disciplinary hearing, and notified Parent of the change of placement to Alternative School.<sup>104</sup>

**Claim for Compensatory Education.**

On December 10, 2025, following the incident, School District notified the minor female student's parents, Parent, and the SRO as required per district policy requiring reporting of

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<sup>101</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, testimony of Regular Education Teacher, and expert opinion of School District Psychologist.

<sup>102</sup> Testimony of Students with Exceptionalities Department Leader, Students with Exceptionalities Director, and testimony of MHP.

<sup>103</sup> Expert opinion of Students with Exceptionalities Director, testimony of Students with Exceptionalities Department Leader, testimony of VP, testimony of Regular Education Teacher, and expert opinion of School District Psychologist.

<sup>104</sup> SD-17a and 17b, testimony of Students with Exceptionalities Director, Students with Exceptionalities Department Leader, Vice Principal, and Principal.

claims involving explicit images to minors.<sup>105</sup> Dual investigations were pursued by law enforcement and School District.<sup>106</sup> Minor arrived to School's administrative office conference room and the SRO with his supervisor seized Minor's phone and placed it in a Ferriday bag. Neither law enforcement nor School District personnel examined Minor's cellphone or images contained on it. In the presence of Principal, the SRO, and the SRO's supervisor, who did not question Minor and who told Minor to not speak, Minor admitted to showing the picture of ■■■ penis on ■■■ cellphone to the female student.<sup>107</sup> SRO was surprised to hear Minor's name "come across" his radio and to see Minor in the conference room office because Minor had no disciplinary actions and ■■■ name was not heard by SRO on the radio during the school year.<sup>108</sup> Principal notified Parent that ■■■ needed to pick up Minor and that ■■■ was excluded from returning to school pending the completion of an investigation.<sup>109</sup>

On Thursday, December 11, 2025, Principal emailed Parent to return his call.<sup>110</sup> Principal also emailed Parent confirming Minor was suspended ("excluded"), and not expelled, pending an investigation or at least until January 6, 2026.<sup>111</sup> At that time, Parent believed Minor was expelled because on the night of December 10, 2025, ■■■ other son told Parent that allegedly his coach told the basketball team that Minor was expelled.<sup>112</sup> The behavior incident report dated December 11, 2025, that was sent to Parent stated "Out of School Suspension" beginning December 11, 2025, and that student returns when School District reopens from the winter break, on January 6, 2026, pending the scheduling of the MDR.<sup>113</sup> On the morning of December 11,

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<sup>105</sup> Testimony of Principal.

<sup>106</sup> *Id.*

<sup>107</sup> Testimony of SRO and testimony of Principal.

<sup>108</sup> Testimony of SRO.

<sup>109</sup> SD-3, SD-4a and 4b, and testimony of Principal.

<sup>110</sup> SD-3, SD-4a and 4b, and testimony of Principal.

<sup>111</sup> SD-3, SD-4a and 4b, and testimony of Principal.

<sup>112</sup> Testimony of Parent.

<sup>113</sup> SD-8.

2025, Parent confirmed [REDACTED] understanding that Minor was suspended, “excluded,” and not expelled, pending the MDR scheduling or at least until January 6, 2026, the day school resumed after the winter break.<sup>114</sup> Parent did not produce evidence to support [REDACTED] assertions, including those made in emails sent to School District, that Minor was not receiving educational services during the out-of-school suspension.

After three attempts to schedule the MDR with Parent, School District conducted and completed the MDR on December 19, 2025.

On December 19, 2025, School District notified Parent that the MDR concluded the conduct was not a manifestation of Minor’s disability nor the result of a failure to implement Minor’s IEP and BIP, that the MDR recommendation was expulsion, that Minor was placed at Alternative School, and that Parent must contact Supervisor of Administration, who was awaiting Parent’s call, to arrange for Minor to attend Alternative School when school resumed on January 6, 2026 (again, because School District was closed from the evening of December 19, 2025, through January 5, 2026).<sup>115</sup> Parent did not present evidence that Minor did not receive educational services during the suspension or that [REDACTED] did not have access to virtual learning and services during the suspension period. Parent did not contact Supervisor of Administration on December 19, 2025, to arrange for Minor to attend Alternative School.

Minor was arrested on January 5, 2026, and incarcerated.<sup>116</sup> Parent did not present competent evidence that Minor was not receiving educational services and supports while in Juvenile Detention Facility. Parent did not present competent evidence that [REDACTED] notified School District of when Minor was released from Juvenile Detention Facility to arrange for [REDACTED]

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<sup>114</sup> SD-3, SD-4a and 4b, and testimony of Principal.

<sup>115</sup> SD-17a and 17b, testimony of Students with Exceptionalities Director and testimony of Principal.

<sup>116</sup> Testimony of Principal.

attendance at Alternative School.<sup>117</sup> Parent did not present evidence of when Minor was no longer incarcerated or that Parent had provided the information to School District.

The discipline/expulsion hearing was not held until January 13, 2026, due to Parent's delaying the scheduling.<sup>118</sup> Principal, Parent, Students with Exceptionalities Department Leader, and Students with Exceptionalities Director received a January 14, 2026, decision letter from the discipline hearing office that Minor was expelled and assigned to Alternative School.

Unaware of Minor's incarceration status, Students with Exceptionalities Department Leader contacted Parent to schedule an IEP meeting necessary for Minor's attendance at Alternative School, which was delayed at Parent's request until January 29, 2026.<sup>119</sup>

On January 22, 2026, School District received notice that Minor was in Juvenile Detention Facility located in a different parish, that Other School District was assuming educational jurisdiction, and Other School District requested a transfer of educational records.<sup>120</sup> School District followed customary protocol for a situation that occurs often when a student in School District is incarcerated because the detention facility is located in a different parish.<sup>121</sup> Students with Exceptionalities Department Leader contacted Other School District for verifications and confirmed through a data systems check that Minor was transferred to Other School District, that Other School District assumed educational jurisdiction of Minor.<sup>122</sup>

On January 22, 2026, School District notified Parent that it received this notice of Minor being in Juvenile Detention Facility and the transfer of educational jurisdiction to Other School District, and Parent did not request to have Minor attend Alternative School. Students with

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<sup>117</sup> Testimony of Students with Exceptionalities Director.

<sup>118</sup> Testimony of Principal and Students with Exceptionalities Department Leader.

<sup>119</sup> Testimony Principal, testimony of Students with Exceptionalities Director and testimony of Students with Exceptionalities Department Leader.

<sup>120</sup> SD-21a and b, testimony Principal, testimony of Students with Exceptionalities Director and testimony of Students with Exceptionalities Department Leader.

<sup>121</sup> Testimony of Students with Exceptionalities Director.

<sup>122</sup> SD-21a and b, and testimony of Students with Exceptionalities Department Leader.

Exceptionalities Department Leader verified the transfer and records requests, and School District completed the transfer and released the Minor's school records to Other School District. School District relied on the verifications in the database available and from Other School District because judicial entities issuing orders are not obligated to provide School District with dates.<sup>123</sup> Relying on the data in systems, School District completed the transfer to Other School District and cancelled the January 29, 2026, IEP meeting scheduled for Minor's attendance in School District's Alternative School.<sup>124</sup>

Parent did not notify School District to make arrangements for Minor to attend Alternative School for School District to know that Minor was not at Juvenile Detention Facility. Parent did not disclose to School District whether Minor was out on bond, nor did Parent provide information for School District to know it should not follow protocol when it received a request for educational jurisdiction from another parish and verified Minor was enrolled in Other School District.<sup>125</sup> School District was following protocol to send records and relinquish educational jurisdiction for the time it was notified Minor was incarcerated at Juvenile Detention Center. The earliest date School District had an indication that Minor may no longer be incarcerated was January 28, 2026, through a Reply Memorandum Parent filed in support of Parent's Motion for Stay Put.<sup>126</sup> Parent did not deliver Minor to Alternative School as requested on December 19, 2025, following the MDR and as ordered by the hearing officer following the Disciplinary Hearing on January 13, 2026, for Minor to receive general and special education and related

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<sup>123</sup> Testimony of Students with Exceptionalities Director.

<sup>124</sup> SD-21a and b, testimony of Students with Exceptionalities Director and testimony of Students with Exceptionalities Department Leader.

<sup>125</sup> Testimony of Students with Exceptionalities Director, testimony of Principal, and testimony of Students with Exceptionalities Department Leader.

<sup>126</sup> Testimony of Students with Exceptionalities Director, testimony of Principal, and testimony of Students with Exceptionalities Department Leader.

services contained in Minor's IEP.<sup>127</sup> Once School District obtained clarification and confirmation that Minor was returned to School District, an IEP was scheduled for Minor to attend Alternative School pending the outcome of this expedited due process hearing.<sup>128</sup>

### **CONCLUSIONS OF LAW**

Parent did not prove that School District denied Minor FAPE by (1) failing to determine Minor's conduct was caused by, or directly and substantially related to, Minor's disability; (2) failing to determine Minor's conduct was the direct result of School District's failure to implement Minor's IEP and the incorporated BIP; (3) failing to provide procedural requisites for a valid MDR; and (4) failing to provide special educational services during a change of placement, including during the suspension, incarceration periods, and following the expulsion hearing.

#### **Burden of Proof**

A School District's educational program for a student with disabilities is presumed to be appropriate.<sup>129</sup> As the party challenging the educational program proposed by the School District, Parent bears the burden of proof to rebut this presumption.<sup>130</sup> Parent must affirmatively prove the allegations that School District's failure to implement Minor's IEP and revised BIP denied Minor FAPE. Parent must affirmatively prove ■■■ allegations that School District's failure to determine Minor's conduct was a manifestation of Minor's disability denied Minor FAPE. Parent must affirmatively prove the alleged procedural violations occurred and impeded Minor's right to FAPE. Parent must affirmatively prove the allegation that School District failed to provide educational services to support a claim that compensatory education is owed to Minor.

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<sup>127</sup> Testimony of Students with Exceptionalities Director, testimony of Principal, and testimony of Students with Exceptionalities Department Leader.

<sup>128</sup> Testimony of Students with Exceptionalities Director.

<sup>129</sup> *White ex rel. White v. Ascension Parish Sch. Bd.*, 343 F.3d 373, 377 (5th Cir. 2003).

<sup>130</sup> *Schaffer ex rel. Schaffer v. Weast*, 546 U.S. 49 (2005).

## **General Discussion of IDEA**

IDEA provides every disabled child with the right to FAPE<sup>131</sup> designed to meet his specialized needs.<sup>132</sup> The FAPE requirement of IDEA requires tailoring the unique needs of the disabled child by means of an IEP.<sup>133</sup>

Before creating the IEP, the school district must conduct an initial evaluation to determine the student's eligibility and to identify student's educational needs.<sup>134</sup> An IEP is created by an "IEP Team" comprised of the child's parents, at least one of child's regular teachers, at least one of child's special education teachers, a school district representative, an individual who can interpret evaluation results (who may be either of the teachers or the school district representative) and, if appropriate, the child.<sup>135</sup> The IEP must outline the student's educational status, establish annual goals, and detail the special educational services and other needed aids and services specific to the child's disability that the child will be provided.<sup>136</sup> 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."<sup>137</sup>

The IDEA guarantees only a basic floor of opportunity, consisting of specialized instruction and related services, which are individually designed to provide educational

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<sup>131</sup> Congress has defined 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).

<sup>132</sup> 20 U.S.C. § 1400(d)(1)(A).

<sup>133</sup> 20 U.S.C. § 1414(d)(1)(A); *Hendrick Hudson Cent. Sch. Dist., Westchester Cnty. v. Rowley*, 458 U.S. 176, 181 (1982).

<sup>134</sup> 20 U.S.C. §§ 1414(a)(1)(A)-(C).

<sup>135</sup> 20 U.S.C. § 1414(d)(1)(B).

<sup>136</sup> 20 U.S.C. § 1414(d)(1)(A)(i).

<sup>137</sup> 20 U.S.C. § 1414(d)(1)(A)(i)(VII).

benefit.<sup>138</sup> A free appropriate public education “need not be the best possible one, or 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 child] ‘to benefit’ from the instruction.”<sup>139</sup> Appropriate education is provided when personalized educational services are provided.<sup>140</sup>

Courts may not second-guess the decisions of school officials and may not substitute their own notions of sound educational policy for those of the school authorities, who have first-hand knowledge of Minor’s academic and behavioral needs based on daily interactions, observations, testing, and use of teaching methods and interventions.<sup>141</sup>

### **Rowley Standards**

In *Board of Education of Hendrick Hudson Central School District, Westchester County v. Rowley*,<sup>142</sup> the U.S. Supreme Court defined the contours of FAPE and established a two-pronged test to be used to determine if FAPE is being provided: (1) Has the State complied with the procedures set forth in the Act; and (2) Is the IEP that was developed through the Act’s procedures reasonably calculated to enable the child to receive educational benefits?<sup>143</sup> If these requirements are met, compliance with the obligations imposed by Congress have been met.<sup>144</sup>

The Supreme Court in *Endrew F. ex rel. Joseph F. v. Douglas County School. District*, refined the *Rowley* FAPE standard to “a school must offer an IEP reasonably calculated to enable

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<sup>138</sup> *Id.*

<sup>139</sup> *Adam J. v. Keller Indep. Sch. Dist.*, 328 F.3d 804, 808 (5th Cir. 2003).

<sup>140</sup> *Rowley*, at 197; 102 S.Ct. 3034.

<sup>141</sup> *Hendrick Hudson Cent. Sch. Dist., Westchester Cnty. v. Rowley*, 458 U.S. 176, 206 (1982).

<sup>142</sup> 458 U.S. 176 (1982). See *J.L. v Mercer Island Sch. Dist.*, 592 F.3d 938, 951 (9th Cir. 2010) (Although the 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-1*, 137 S. Ct. 988 (2017), did not overturn *Rowley*.

<sup>143</sup> *Rowley*, 458 U.S. at 206-207.

<sup>144</sup> *Rowley*, 458 U.S. at 207.

a child to make progress appropriate in light of the child’s circumstances.”<sup>145</sup> The Supreme Court has held that “the essential function of an IEP is to set out a plan for pursuing academic and functional advancement.”<sup>146</sup> An IEP is reasonably calculated to provide 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.”<sup>147</sup> A 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 child] to benefit from the instruction.”<sup>148</sup> The IDEA does not require that parental preferences be implemented in an IEP.<sup>149</sup> The *Rowley* two-pronged inquiry is used to determine whether a public agency, such as School District, has provided FAPE under the IDEA to a particular child with a disability.

Applying the two-pronged test, Parent did not prove that School District failed to provide Minor FAPE.

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

To satisfy the first prong of the *Rowley* test, the State must comply with procedures set forth in the Act. Parent failed to prove that the alleged procedural violations impeded Minor’s right to FAPE, significantly impeded Parent’s opportunity to participate in the decision-making process regarding the provision of FAPE to Minor or caused a deprivation of educational benefit.

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<sup>145</sup> *Endrew F. v. Douglas Cty. Sch. Dist. RE-1*, 137 S. Ct. 988, 999 (2017).

<sup>146</sup> *Endrew F.*, 137 S. Ct. at 992.

<sup>147</sup> *Cypress-Fairbanks Indep. Sch. Dist. v. Michael F.*, 118 F.3d 245, 253 (5th Cir. 1997).

<sup>148</sup> *Adam J. ex rel. Robert J. v. Keller Indep. Sch. Dist.*, 328 F.3d 804, 808 (5th Cir. 2003) (emphasis omitted) (citations omitted).

<sup>149</sup> *Bradley ex rel. Bradley v. Arkansas Dep’t of Educ.*, 443 F.3d 965, 975 (8th Cir. 2006).

A violation of the procedural requirements of IDEA amounts to a denial of FAPE if it impedes the student's right to FAPE, significantly impedes the 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.<sup>150</sup>

Parent did not allege School District failed to comply with the procedural requirements of IDEA regarding the procedures for conducting Minor's IEP and revising Minor's BIP. The evidence shows Parent received notice and participated in the State Facilitated August 12, 2025, IEP. Instead, Parent alleged School District committed procedural violations of FAPE by conducting the MDR without ■ participation, failing to provide Parent with relevant information before conducting the MDR, failing to have relevant members present at the MDR, and failing to review requisite information at the MDR. Parent contended that the MDR should be invalidated because School District conducted the MDR before conducting a Disciplinary Expulsion Hearing.

The evidence proved School District complied with the procedural requirements for conducting the MDR. A preponderance of the evidence shows School District notified Parent of the MDR, attempted to reschedule the MDR three times at Parent's request, provided relevant records to Parent to be reviewed at the MDR, including a redacted video ■ declined to review, copies of Minor's IEP, revised BIP, the December 10, 2025, incident report, and witness's statements, and provided opportunities for Parent to inspect and review all education records as required under Bulletin 1706, Section 502.

School District agreed to schedule the MDR within 5 days at Parent's request; however, Parent believed ■ should not attend until ■ received a written statement from Principal outlining the "evidence against Minor," regarding the "charges" against Minor, a statement

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<sup>150</sup> 20 U.S.C. § 1415(f)(3)(E)(ii).

which did not exist and was relevant to the Disciplinary Expulsion Hearing, but not the MDR. School District gave prior written notice of three dates to conduct the MDR within ten school days of the December 10, 2025, incident, as mandated in LDOE Bulletin 1706, Section 530. Parent did not offer alternative dates and repeated ■ would not attend until ■ received a statement from the Principal and all evidence of how School District determined the “obscene” conduct occurred. Although Parent argued ■ had a valid basis for not attending the MDR because ■ reasonably believed ■ needed certain evidence, School District explained to Parent that the purpose of the MDR was to collaboratively review with Parent Minor’s information at the MDR meeting to come to a consensus. School District assured Parent that in addition to the relevant documents submitted to Parent before the MDR, Parent would have an opportunity to review any available record. School District made the redacted video available to Parent for viewing before the MDR. The evidence supports the conclusion that School District made attempts to have Parent participate meaningfully before conducting the MDR on December 19, 2025, without Parent being present.

The relevant members for an MDR are Minor’s IEP Team.<sup>151</sup> The records supports the conclusion that the relevant members of Minor’s IEP Team participated in the MDR. Those key stakeholders reviewed the relevant information, including Minor’s IEP, BIP, the witness’s statement, Paraprofessional’s statement, Minor’s prior disciplinary record, and the incident report, the same documents provided to Parent in the emails attempting to schedule the MDR. School District complied with procedural mandates for conducting a valid MDR. Parent failed to prove School District violated procedural requirements for conducting the MDR.

Parent did not present evidence that the IDEA or its implementation regulations in LDOE Bulletin 1706 prohibit a district from conducting an MDR before a disciplinary hearing. School

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<sup>151</sup> Louisiana Administrative Code (LAC) 28: XLIII.530.F.

District conducts the MDR first because if the MDR team determines the behavior was a manifestation of a student's disability, the disciplinary proceedings to change a placement do not occur,<sup>152</sup> and instead, an IEP is convened. Parent failed to prove actionable procedural violations.

**Substantive Compliance: School District met the second prong of the Rowley test**

To satisfy the second prong of the *Rowley* test, the IEPs and related services such as the BIPs must be reasonably calculated to enable Minor to receive educational benefits. The United States Supreme Court in *Endrew F.* reinforced the *Rowley* test, stating the IEP must be reasonably calculated to enable a child to make progress appropriate in light of the child's unique circumstances.<sup>153</sup>

In determining whether the second prong of the *Rowley* test has been satisfied, the United States Fifth Circuit Court of Appeals in *Cypress-Fairbanks Independent School District v. Michael F.*<sup>154</sup> established a four-factor test. The four factors are (1) Is the program individualized based on 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?

The Fifth Circuit has treated the factors "as indicators of when an IEP meets the

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<sup>152</sup> Under special circumstances, including when a student carries a weapon, possesses drugs, or inflicts serious bodily injury, school districts 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. See LAC 28: XLIII.530.G.

<sup>153</sup> *Endrew F. ex rel. Joseph F. v. Douglas Cnty. Sch. Dist. RE-1*, 580 U.S. 386, 388 (2017).

<sup>154</sup> *Cypress-Fairbanks Indep. Sch. Dist. v. Michael F.*, 118 F.3d 245 (5th Cir. 1997). Because the Court in *Endrew F.* only addressed the Tenth Circuit's FAPE standard, the Fifth Circuit's standards in *Michael F.* remain applicable. See *E.R. ex rel. E.R. v. Spring Branch Indep. Sch. Dist.*, 909 F.3d 754, 765 (5th Cir. 2018), stating that the *Michael F.* factors comply with *Endrew F.*

requirements of IDEA but has not specified how these factors should be weighed.<sup>155</sup> The factors are a guide in a fact-intensive inquiry of whether an IEP provided educational benefit.<sup>156</sup>

*Cypress-Fairbanks Factor One: the IEP was individualized based on Minor's abilities, assessments, and performance.*

Parent did not assert that Minor's IEP and revised BIP were not individualized based on Minor's abilities and performance. The record contains evidence that the IEP and revised BIP were the result of a State Facilitated IEP on August 12, 2025, with Parent's participation and based on Minor's most recent evaluation. The record contains abundant evidence that the revised BIP specifically addressed Minor's current (2025-2026 school year) behavioral needs for interventions, which were elopement and aggression, and per Parent's limitations on the scope of the Paraprofessional and MHP's roles. Minor's IEP and revised BIP were individualized based on Minor's unique circumstances, abilities, and needs.

*Cypress-Fairbanks Factor Two: Minor's educational program was administered in the least restrictive environment.*

### **The IDEA's Disciplinary Provisions**

Relative to the placement where Minor's educational program is implemented is the issue of a change in placement as a disciplinary action. If a student with an IDEA exceptionality violates a code of student conduct, IDEA provides detailed procedures that the local educational agency (LEA) must follow to suspend or expel him.<sup>157</sup> School personnel have unilateral power to suspend a child with a disability for up to ten days as they would a non-disabled child.<sup>158</sup>

When the placement of a student with a disability is changed because of a violation of a

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<sup>155</sup> See *Richardson Indep. Sch. Dist. v. Michael Z.*, 580 F.3d 286, 293 (5th Cir.2009); *Cypress-Fairbanks Indep. Sch. Dist. v. Michael F.*, 118 F.3d 245 (5th Cir. 1997). See also *Klein Indep. Sch. Dist. v. Hovem*, 690 F.3d 390, 396 (5th Cir. 2012), cert. denied, 568 U.S. 1231 (2013).

<sup>156</sup> *Richardson Indep. Sch. Dist. v. Michael Z.*, 580 F.3d 286, 293 (5th Cir.2009); *Klein Indep. Sch. Dist. v. Hovem*, 690 F.3d 390, 396 (5th Cir. 2012), cert. denied, 568 U.S. 1231 (2013).

<sup>157</sup> See generally LAC 28:XLIII.530.

<sup>158</sup> 20 U.S.C. § 1415(k)(1)(B) (2012); and LAC 28:XLIII.530.

code of student conduct, a “manifestation determination” must be made within ten school days to determine whether the conduct in question was caused by, or had a direct and substantial relationship to the student’s disability, or whether the conduct was the result of a district’s failure to implement the IEP and the incorporated BIP.<sup>159</sup> The determination process is referred to as an MDR.

If the LEA, 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.<sup>160</sup>

The record supports School District’s determination that Minor’s conduct of showing an explicit image of [REDACTED] on [REDACTED] cellphone to a minor female student was not due to [REDACTED] disability or a failure of School District to implement Minor’s IEP and BIP.

December 19, 2025, MDR.

School District conducted an MDR on December 19, 2025, following Minor showing an explicit image of [REDACTED] on [REDACTED] cellphone to a minor female student. School District determined that the conduct was not a manifestation of Minor’s disability and was not the result of School District’s failure to implement Minor’s IEP and BIP. The issue is whether the School District made the correct determination. The answer is yes.

On December 19, 2025, the MDR was conducted. The MDR Team included Students with Exceptionalities Director, Students with Exceptionalities Department Leader, Regular Education Teacher, who teaches an inclusion class with Minor and other students who have

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<sup>159</sup> LAC 28: XLIII.530.F.

<sup>160</sup> LAC 28:XLIII.530.E.1; *see also* 20 U.S.C. § 1415(k)(1)(E)(i) (2012) and 34 CFR § 300.530(e).

ADHD, and Vice Principal/ODR. Students with Exceptionalities Director's expert opinion and the consensus of MDR participants who possess expertise in special education disabilities and manifestation of behaviors was that Minor's disabilities, including [REDACTED] behaviors from [REDACTED] medical diagnoses of ODD and ADHD, manifest through behaviors of elopement and aggression (verbal and physical altercations). School District Psychologist's expert opinion was Minor's disability did not manifest when Minor secretly showed a female student a picture of [REDACTED] located on [REDACTED] cellphone that [REDACTED] had taken at another time, indicating a behavior of premeditation and non-impulsive conduct.

Parent failed to offer any evidence, including expert opinion, to refute the testimony of the MDR team participants and School District Psychologist. A preponderance of the evidence supports the conclusion that School District's MDR Team correctly determined that Minor's December 10, 2025, conduct was not a result of Minor's disabilities and that it was not directly or substantially related to Minor's ADHD symptom of impulsivity.

Additionally, Parent did not present evidence to show that Minor's revised BIP was not fully implemented to support Parent's allegation that the MDR Team incorrectly concluded that Minor's December 10, 2025, conduct was not the result of a failure to implement Minor's BIP.

The record fully supports without controverted evidence the conclusion that Minor's Paraprofessional and MHP fully implemented Minor's BIP and as per Parent's requirements, which were discussed and fully included in the IEP and revised BIP at the State Facilitated IEP meeting. During the December 10, 2025, incident, Paraprofessional was located within the range of distance from Minor required by Parent. During the 2025-2026 school year, MHP met with Minor to effectively meet the self-regulation goal towards completing assignments, as defined and required by Parent and incorporated into the State Facilitated IEP and revised BIP.

Parent did not prove School District denied Minor FAPE when the MDR Team concluded that the December 10, 2025, incident was not the result of School District's failure to implement the significant portions of Minor's IEP and revised BIP.

*Cypress-Fairbanks Factor Three: Services were provided in a coordinated and collaborative manner.*

Parent did not allege that Minor's academic and behavior services were not sufficiently provided in a coordinated and collaborative manner by the key stakeholders.

*Cypress-Fairbanks Factor Four: Child achieved positive benefits.*

Parent did not allege Minor did not achieve positive academic and non-academic benefits from his IEP and BIP.

#### **Remedies Requested.**

One remedy requested by Parent was an order to invalidate the MDR. For the reasons outlined above, in the *Cypress-Fairbanks Independent School District v. Michael F.* four-factor test, Parent failed to establish the MDR should be invalidated.

Parent also requested compensatory education based on an alleged failure of School District to provide general and special educational services during a change of placement. Minor was suspended by School District beginning December 11, 2025, pending the scheduling and conclusion of the MDR, or at least until school resumed from the winter break on January 6, 2026.

On December 19, 2025, Parent received Prior Written Notice of both the MDR results and the requirement to present Minor for placement at Alternative School. Parent did not make arrangements with School District on December 19, 2025, nor when School resumed on January 6, 2026, for Minor to attend Alternative School. On January 5, 2026, Minor was incarcerated and placed at Juvenile Detention Facility. School District attempted to schedule the Disciplinary

Expulsion Hearing, which was held January 13, 2026, after parental delays. Once the hearing officer at the Disciplinary Expulsion Hearing ruled Minor was expelled, School District made attempts to schedule Minor's IEP for Minor's attendance at Alternative School. After parental delays, the IEP was scheduled for January 29, 2026. However, on January 22, 2026, School District received notifications that Minor was in the custody of Juvenile Detention Facility located in Other Parish and verified the request of Other School District in Other Parish to assume a transfer of educational responsibility. Parent withheld Minor's release from incarceration information and did not present Minor for educational services at Alternative School. School District followed the customary protocol for transfer of students to Other School District while incarcerated at Juvenile Detention Facility. Once School District was notified that Minor was returned to its educational jurisdiction, School District scheduled Minor's IEP for Alternative School. Parent failed to prove School District denied Minor FAPE to support a claim for an award of compensatory education.

### **Conclusion**

Parent did not prove that School District denied Minor FAPE by conducting an invalid MDR; by determining Minor's December 10, 2025, conduct was not a manifestation of, or substantially related to, his disability; by determining Minor's December 10, 2025, conduct was not the result of School District's failure to implement the significant provisions of Minor's IEP and revised BIP; or failing to provide general and special educational services during changes of placement. Parent's complaint is dismissed, and Parent is not entitled to any of the requested remedies.

**ORDER**

**IT IS ORDERED** that Parent’s December 19, 2025, expedited due process complaint, alleging School District denied Minor a free appropriate public education is **DISMISSED**.

**IT IS FURTHER ORDERED** that Parent’s requested remedies are **DENIED**.

Rendered and signed on February 20, 2026, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Tuesday, February 24, 2026, 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

**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	[REDACTED]
Minor	[REDACTED]
School District	St. Tammany Parish Public Schools
High School	[REDACTED]
Alternative School	[REDACTED]
Other Parish	Tangipahoa Parish
Other School District	Tangipahoa Parish Public Schools
Juvenile Detention Facility	Florida Parishes Juvenile Detention Center
Students with Exceptionalities Director	Kerri Soo
Students with Exceptionalities Department Leader	Dr. Jacyntha Lovely
Principal	[REDACTED]
Vice Principal and Official District Representative	[REDACTED]
Mental Health Provider	[REDACTED]
Paraprofessional	[REDACTED]
School District Psychologist	She'Kayla Smith
School Resource Officer – Slidell Police Department	[REDACTED]
Supervisor of Administration	Michael Wills



# Louisiana Special Education Due Process Hearing

56-H-29



# Louisiana Special Education Due Process Hearing

56-H-30



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2026-0295-DOE-IDEA**

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**IN THE MATTER OF**

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**LEGAL GUARDIAN ON BEHALF OF  
MINOR**

**\* AGENCY ID. 56-H-30**

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**ORDER TERMINATING ADJUDICATION**

On January 1, 2026, Legal Guardian on behalf of Minor, through counsel of record, Ronald K. Lospennato, filed a *Request for Due Process Hearing*. A telephone status conference is scheduled for January 27, 2026, and a due process hearing is tentatively scheduled for March 3, 2026.

On January 26, 2026, Legal Guardian, through counsel of record, Mr. Lospennato, filed a *Withdrawal of Hearing Request Based on Resolution Agreement*, requesting that Legal Guardian's request for a due process hearing be withdrawn. The request is granted.

**ORDER**

**IT IS ORDERED** that the Legal Guardian on Behalf of Minor's *Withdrawal of Hearing Request Based on Resolution Agreement* is **GRANTED**.

**IT IS FURTHER ORDERED** that Legal Guardian on Behalf of Minor's request for a due process hearing is **DISMISSED**, the matter bearing docket number *2026-0295-DOE-IDEA* is **TERMINATED**.

**IT IS FURTHER ORDERED** that the telephone status conference scheduled for January 27, 2026, at 3:00 p.m., and the due process hearing tentatively scheduled for March 3, 2026, are **CANCELED**.

Rendered and signed on January 27, 2026, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Tuesday, January 27, 2026, 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*

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Anthony J. Russo

Administrative Law Judge

Division of Administrative Law

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

**LEGEND**

Legal Guardian



Minor



School District

Acadia Parish School District

School District Representative

Carol D. Tall

School





# Louisiana Special Education Due Process Hearing

56-H-31-E



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2026-1071-DOE-IDEA**

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENT ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-31-E**

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**DECISION AND ORDER**

Parent on behalf of Minor filed an expedited due process hearing request alleging that School District violated the Individuals with Disabilities Education Act (IDEA) and denied Minor a free appropriate public education (FAPE) as follows: (1) violation of disciplinary sequence, (2) procedural defects in the manifestation determination review, (3) violation of stay-put protections, (4) predetermination of placement, (5) deficient behavior intervention plan, and (6) failure to implement appropriate behavioral supports. Parent’s expedited due process complaint is **DISMISSED** because Parent failed to prove that School District violated the IDEA and denied Minor FAPE. Parent is not entitled to any relief.

**APPEARANCES**

An expediated due process hearing was conducted February 9, 2026, in Gonzales, Louisiana, before Administrative Law Judge Adaora Chukudebelu. Present at the hearing were Parent and her Advocate, Paije Lopez; Wayne T. Stewart, counsel for School District; and School District’s Representative.

The following testified at the hearing: Principal; Grandmother; In-School Suspension Presider; School Social Worker; and Special Education Coordinator.

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

## **JURISDICTIONAL AUTHORITY**

This adjudication is conducted in accordance with IDEA, 20 United States Code (U.S.C.) § 1400 et seq. and 34 Code of Federal Regulations (C.F.R.) §300 et seq.; Education of Students with Exceptionalities, Louisiana Revised Statutes (La. R.S.) 17:1941, et seq.; Pupil Appraisal Handbook, Louisiana Administrative Code (LAC) 28:CI, Louisiana Department of Education (LDOE) Bulletin 1508; Regulations for Implementation of the Children with Exceptionalities Act, LAC 28:XLIII, LDOE Bulletin 1706; Louisiana's IEP Handbook for Students with Exceptionalities, LAC 28:XCVII, LDOE Bulletin 1530; and the Division of Administrative Law's enabling legislation, La. R.S. 49:991 et seq.

## **STATEMENT OF THE CASE**

On January 9, 2026, the LDOE received a written request for an expedited due process hearing from Parent. Parent's written request for an expedited due process hearing alleged that School District violated the IDEA and denied Minor FAPE as follows: (1) violation of disciplinary sequence, (2) procedural defects in the manifestation determination review (MDR), (3) violation of stay-put protections, (4) predetermination of placement, (5) deficient behavior intervention plan, and (6) failure to implement appropriate behavioral supports. Parent sought the following relief: immediate stay-put; vacate Minor's expulsion; a finding that Minor's behavior was a manifestation of Minor's disability; invalidation of the serious bodily injury finding; conduct a new MDR; develop a behavior plan with meaningful parent participation and appropriate positive interventions; award compensatory education services to remediate lost educational opportunities; and mandate training for district staff on discipline requirements.

Parent argued that ■■■ is a concerned parent and that School District did not meet its burden of showing that the injury inflicted on In-School Suspension Presider was serious bodily injury, and that the MDR and Minor's placement were not compliant with IDEA.

School District maintained that it has met its burden of showing that the injury inflicted on In-School Suspension Presider was serious bodily injury, and that Parent has failed to bear ■■■ burden of proof.

Parent's and School District's exhibits were admitted into evidence.<sup>2</sup> Before the conclusion of the hearing, the parties gave closing arguments, and the record was closed.

### **FINDINGS OF FACT**

Minor, an ■■■-year-old second-grade student at School, qualified for special education services with exceptionalities of other health impairments due to medical diagnoses of attention deficit hyperactivity disorder (ADHD) and oppositional defiance disorder (ODD) and speech or language impairments in the area of articulation.<sup>3</sup> Minor receives speech therapy as a related service.<sup>4</sup>

Prior to the decision to expel Minor, Minor's least restrictive educational environment was inside a regular education class for 80% or more of the day.<sup>5</sup> Prior to the December 11, 2025, incident, Minor had a total of two in-school suspensions, and six out-of-school suspensions, for a total of eight suspensions.<sup>6</sup>

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<sup>2</sup> P-8, (page 1 only), SD-3 (3 pages), SD-5 (5 pages), SD-8 (27 pages), SD-9 (15 pages), SD-14 (10 pages), SD-15 (7 pages), SD-18 (25 pages), SD-24 (2 pages) and SD-25 (pages 22 and 23 only). At School District's request, the Administrative Law Judge took judicial notice of Louisiana Bulletin 1706 § 530 and Title 18 United States Code Annotated §1365(h)(3).

<sup>3</sup> SD-15, p. 1; SD-9, p. 1.

<sup>4</sup> SD-9, p. 1.

<sup>5</sup> SD-15, p. 2.

<sup>6</sup> SD-8, p. 13.

A Behavior Intervention Plan (BIP) was created for Minor on November 5, 2025.<sup>7</sup> The BIP addressed the following behaviors: disruptive behaviors, non-compliance, physical aggression, elopement, and property destruction.<sup>8</sup> A crisis plan was created for Minor on November 5, 2025.<sup>9</sup> At that time, Minor's grades were Reading-F, Writing-C, Math-F, and Social Living-F.<sup>10</sup> The BIP was officially added to Minor's Individualized Education Program (IEP) on November 17, 2025, during a virtual IEP meeting, with Parent in attendance.<sup>11</sup> At the virtual IEP meeting, Minor's goals were reviewed.<sup>12</sup> Prior to the meeting Parent was provided drafts of the BIP and the crisis plan.<sup>13</sup> Minor's BIP was revised on December 15, 2025, and January 5, 2026.<sup>14</sup> The revised BIP addressed the following behaviors: disruptive behaviors, non-compliance, physical aggression, elopement, property destruction and profanity.<sup>15</sup> At that time, Minor's grades were Reading-D, Writing-C, Math-C, and Social Living-F.<sup>16</sup>

Principal has collaborated with School staff in providing educational services to Minor, and meeting his needs including communicating with (a) Minor's teacher and Parent on Minor's behavior goal, and (b) Minor's teacher and In-School Suspension Presider on different strategies to implement.<sup>17</sup> As part of the IEP Team, Principal participated in creating a crisis management plan from the data collected and used in the BIP.<sup>18</sup> Principal assisted Parent with completing a feeder request when Parent wanted to move Minor to another school.<sup>19</sup> Principal also

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<sup>7</sup> SD-9, p. 1.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Testimony of Principal, Transcript pp. 56, 91.

<sup>12</sup> Testimony of Principal, Transcript p. 91.

<sup>13</sup> *Id.*

<sup>14</sup> SD-9, p. 1.

<sup>14</sup> SD-9, p. 8.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> Testimony of Principal, Transcript pp. 50, 53.

<sup>18</sup> Testimony of Principal, Transcript p. 50.

communicated with Parent via email and sometimes by telephone on several issues including when Parent wanted Minor to return to School, and discussing Minor’s medication and behavior.<sup>20</sup>

### Discipline Incident

On or about 9:00 AM on December 11, 2025, when Minor was in In-School Suspension office, Minor wanted a toy and when ■ was told that ■ needed to complete ■ math assignment before ■ could play with the toy, ■ became aggressive.<sup>21</sup> Minor was in a crisis and was placed in the deescalation room.<sup>22</sup> Minor was then instructed to complete one math problem with a crayon and to “use a calm body” before School staff would release ■ to the In-School Suspension office.<sup>23</sup> Minor became agitated, started walking around the room, kicking the walls, kicking the doors, breaking faceplates, and tearing up tiles from the floor.<sup>24</sup> In-School Suspension Presider tried to stop Minor from tearing up the tiles by standing on the tile that Minor was trying to remove; Minor then hit her with a closed fist.<sup>25</sup> Minor threatened to hit In-School Suspension Presider in the face, but after In-School Suspension Presider calmly asked ■ to make a good choice, Minor backed away.<sup>26</sup> Minor also hit In-School Suspension Presider in the chest and stumped on her feet.<sup>27</sup>

Minor then tried to turn off the lights in the deescalation room and In-School Suspension Presider used her hands to cover the light switch.<sup>28</sup> Minor ran up to In-School Suspension

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<sup>19</sup> Testimony of Principal, Transcript p. 51.

<sup>20</sup> Testimony of Principal, Transcript pp. 52, 54, 55.

<sup>21</sup> SD-8, pp. 13-14, 22, 24-25; testimony of In-School Suspension Presider, Transcript p. 123; testimony of Principal, Transcript pp. 50, 53; and testimony of Special Education Coordinator, Transcript pp. 195-197.

<sup>22</sup> Testimony of In-School Suspension Presider, Transcript p. 123.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> SD-8, p. 22; testimony of In-School Suspension Presider, Transcript pp. 134-136.

<sup>28</sup> Testimony of In-School Suspension Presider, Transcript p. 123.

Presider and used both hands to forcefully push In-School Suspension Presider on her left side of her ribs.<sup>29</sup> In-School Suspension Presider visited an urgent care center, where X-rays were taken and after seeing the medical professional, In-School Suspension Presider was diagnosed with “chest pain, unspecified; multiple fracture of ribs, left side; initial encounter for closed fracture.”<sup>30</sup> In-School Suspension Presider was permitted to return to work with the following restrictions: no lifting, pushing, or pulling anything greater than five pounds; and to “avoid environments which can result in further assault.”<sup>31</sup> In-School Suspension Presider was prescribed anti-inflammatory medication.<sup>32</sup> In-School Suspension Presider returned to work on December 16, 2025.<sup>33</sup> In-School Suspension Presider described the pain from the injury as a sharp shooting pain that went across her back and chest and anytime she moved or bent over, she could hear a popping and clicking.<sup>34</sup> In-School Suspension Presider continues to experience pain and some discomfort, especially when she coughs or sneezes.<sup>35</sup>

Minor also punched Principal and other School staff.<sup>36</sup> Minor used inappropriate language, cursing, and repeatedly threatened, “I will kill y’all!”<sup>37</sup> Due to Minor’s escalating behavior, hitting and kicking, Principal requested blockers and a School staff held a blocker in front of Principal.<sup>38</sup> School staff contacted Parent and Grandmother and informed them that Minor’s behavior was escalating.<sup>39</sup> Minor calmed down for a short period and was moved to the

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<sup>29</sup> Testimony of In-School Suspension Presider, Transcript p. 124.

<sup>30</sup> SD-5, pp. 2, 4-5; testimony of In-School Suspension Presider, Transcript p. 137.

<sup>31</sup> SD-5, pp. 2, 4-5; testimony of In-School Suspension Presider, Transcript pp. 126, 127.

<sup>32</sup> Testimony of In-School Suspension Presider, Transcript p. 145.

<sup>33</sup> Testimony of In-School Suspension Presider, Transcript p. 127.

<sup>34</sup> Testimony of In-School Suspension Presider, Transcript pp. 131-133.

<sup>35</sup> Testimony of In-School Suspension Presider, Transcript p. 133.

<sup>36</sup> SD-8, pp. 14, 22, 24-25.

<sup>37</sup> SD-8, p. 14; testimony of Principal, Transcript pp. 67, 80; testimony of Special Education Coordinator, Transcript p. 190.

<sup>38</sup> Testimony of Principal, Transcript pp. 25, 26.

<sup>39</sup> Testimony of Grandmother, Transcript pp. 108-109; testimony of Principal, Transcript p. 24.

In-School Suspension room.<sup>40</sup> Grandmother was contacted and told Minor had calmed down.<sup>41</sup> Shortly thereafter, Minor's behavior escalated and he was moved back to the deescalation room. Grandmother was again contacted and told to come to School to help deescalate the situation.<sup>42</sup>

Based on the December 11, 2025, incident, Principal placed Minor on an out-of-school suspension from December 12, 2025, through December 16, 2025, with further consequences pending.<sup>43</sup> On December 16, 2025, Principal recommended expulsion of Minor based on the December 11, 2025, incident;<sup>44</sup> Principal prepared an expulsion packet, which included a summary of the December 11, 2025, incident, and other incidents involving Minor's behaviors as follows: willful disobedience; commits immoral or vicious practices; conduct or habits injurious to his/her associates; cuts, defaces, or injures any part of public school buildings; commits any other serious offense; assault or battery on a student, administrator, faculty member, or school personnel; and threatening (verbally or physically) any student, administrator, faculty member, or school personnel.<sup>45</sup>

On December 16, 2025, Principal notified Parent at an office conference of the expulsion recommendation.<sup>46</sup> Parent requested an expulsion hearing.<sup>47</sup> An expulsion hearing was held December 19, 2025,<sup>48</sup> and on December 22, 2025, the Hearing Officer rendered a decision recommending Minor be expelled from the regular school setting.<sup>49</sup> By letter dated December 22, 2025, School District Superintendent upheld the Hearing Officer's recommendation to expel Minor from the regular school setting, imposed a minimum expulsion term of 45 days, and

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<sup>40</sup> Testimony of Principal, Transcript p. 27.

<sup>41</sup> *Id.*

<sup>42</sup> Testimony of Grandmother, Transcript pp. 108-109; testimony of Principal, Transcript p. 24.

<sup>43</sup> SD-8, pp. 6-7.

<sup>44</sup> Testimony of Principal, Transcript p. 65.

<sup>45</sup> SD-8, pp. 6-7, 16-19; testimony of Principal, Transcript pp. 65, 72.

<sup>46</sup> SD-8, p. 6; testimony of Principal, Transcript p. 31.

<sup>47</sup> SD-8, p. 8.

<sup>48</sup> SD-8, p. 2; testimony of Principal, Transcript p. 32.

<sup>49</sup> SD-8, pp. 3-5; Testimony of Principal, Transcript p. 32.

provided Parent with, among other things, information of School District's alternative program, where Minor may attend to ensure Minor's education is not interrupted.<sup>50</sup> School District calendar shows that December 22, 2025, through January 5, 2026, were not school days; students returned to school January 6, 2026.<sup>51</sup>

In preparation for the MDR, School staff discussed next steps if the expulsion was upheld, like scheduling an MDR IEP meeting, and getting materials in place.<sup>52</sup> MDR and reevaluation data review (RDR) are connected and were both held on January 7, 2026, with Parent present.<sup>53</sup> The following attended both the MDR and RDR: School Social Worker, Parent, Parent's Advocates, Special Education Teachers, Regular Education Teachers, Official Designated Representative (ODR), Speech Therapist, Special Needs Counselor, Grandmother, Principal, School Nurse, Training Nurse, Special Education Coordinator, School District Representative.<sup>54</sup> Only members of Minor's IEP Team participated in the MDR as follows: School Social Worker, Parent, Special Education Teachers, Regular Education Teachers, ODR, Speech Therapist, Special Needs Counselor.<sup>55</sup>

The MDR participants considered all relevant information in Minor's file, including Minor's IEP, Minor's disciplinary and behavioral history and records, any teacher observations, and any relevant information provided by Parent.<sup>56</sup> School Social Worker documented Parent's input and votes of the MDR participants regarding whether (1) the conduct in question was caused by or substantially related to Minor's disability and (2) the conduct in question was the

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<sup>50</sup> SD-8, p. 1.

<sup>51</sup> Due to confidentiality requirements, School District Calendar located on School District website, last visited February 20, 2026, has been redacted from this *Decision and Order*. See attached Legend for identifying information.

<sup>52</sup> SD-25, pp. 22-23; testimony of Principal, Transcript pp. 41 - 42.

<sup>53</sup> Testimony of Principal, Transcript p.103; testimony of School Social Worker, Transcript pp.157, 164-166, 170-171.

<sup>54</sup> SD-14, p. 6; SD-15, p. 7; testimony of School Social Worker, Transcript pp. 170-178.

<sup>55</sup> SD-14, p. 6; testimony of School Social Worker, Transcript pp. 172, 174-175.

<sup>56</sup> SD-14 and testimony of School Social Worker, Transcript pp. 157, 165, 166, 169.

direct result of the School District’s failure to implement Minor’s IEP?<sup>57</sup> All MDR participants, except Parent, said “no” to both questions.<sup>58</sup> School Social Worker did not witness the December 11, 2025, incident; she collected the data used in the MDR.<sup>59</sup> School Social Worker opined that Minor’s behavior on December 11, 2025, was not caused by or substantially related to Minor’s disability because Minor’s behavior was not a single impulsive act but repeated prolonged outbursts of aggression.<sup>60</sup> School Social Worker also opined that Minor was able to calm down and then become agitated and aggressive.<sup>61</sup>

At the MDR, Parent stated that ■ did not feel like the BIP was properly implemented.<sup>62</sup>

Minor’s RDR shows that a Functional Behavior Assessment (FBA) was conducted and it concluded that Minor “is likely to be non-compliant, talk/yell out impulsively with or without aggression, and/or act out with physical aggression in situations where ■ desires tangibles, is seeking attention, and/or wants to engage in a preferred activity.”<sup>63</sup> The FBA data was used to create the BIP and crisis plan.<sup>64</sup>

An IEP meeting was held on January 12, 2026.<sup>65</sup>

## CONCLUSIONS OF LAW

Parent failed to prove that School District violated the IDEA and denied Minor FAPE.

Parent is not entitled to relief.

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<sup>57</sup> SD-14, pp. 5-6 and testimony of School Social Worker, Transcript pp. 166, 168.

<sup>58</sup> SD-14, p. 5.

<sup>59</sup> Testimony of School Social Worker, Transcript p. 180.

<sup>60</sup> Testimony of School Social Worker, Transcript pp. 180-182.

<sup>61</sup> Testimony of School Social Worker, Transcript p. 182.

<sup>62</sup> Testimony of School Social Worker, Transcript p. 155.

<sup>63</sup> SD-15, p. 5.

<sup>64</sup> *Id.*

<sup>65</sup> Testimony of Principal, Transcript p. 32.

### **Burden of Proof**

A school district's educational program for a child with disabilities is presumed to be appropriate.<sup>66</sup> As the party challenging the educational program proposed by School District, Parent bears the burden of proof to rebut this presumption.<sup>67</sup> At a due process hearing, the party seeking relief bears the burden of proof.<sup>68</sup>

Parent must affirmatively prove the allegations that School District violated the IDEA and denied Minor FAPE as follows: (1) predetermination of placement; (2) violation of disciplinary sequence; (3) procedure defects in the MDR; (4) failure to implement appropriate behavioral supports; (5) deficient behavior intervention plan; and (6) violation of stay-put protections.

### **Overview of IDEA**

IDEA provides every disabled child with the right to FAPE<sup>69</sup> designed to meet his specialized needs.<sup>70</sup> A free appropriate public education "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 child] to benefit from the instruction."<sup>71</sup> FAPE is delivered through an IEP, which must be created for a child by a school.<sup>72</sup> Before creating the IEP, the school district must conduct an

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<sup>66</sup> *White ex rel. White v. Ascension Parish Sch. Bd.*, 343 F.3d 373, 377 (5th Cir. 2003).

<sup>67</sup> *Schaffer ex rel. Schaffer v. Weast*, 546 U.S. 49 (2005); *Richardson Indep. Sch. Dist. v. Michael Z.*, 580 F.3d 286, 292 n.4 (5th Cir. 2009).

<sup>68</sup> Louisiana Bulletin 1706 § 511(J).

<sup>69</sup> Congress has defined 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).

<sup>70</sup> 20 U.S.C. § 1400(d)(1)(A).

<sup>71</sup> *Adam J. ex rel. Robert J. v. Keller Indep. Sch. Dist.*, 328 F.3d 804, 808 (5th Cir. 2003) (emphasis omitted) (citations omitted); *R.P. ex rel. R.P. v. Alamo Heights Independent School Dist.*, 703 F.3d 801, 809 (5th Cir. 2012).

<sup>72</sup> *Id.*

initial evaluation to determine the student’s eligibility and to identify his educational needs.<sup>73</sup> An IEP is created by an “IEP Team” comprised of the child’s parents, at least one of his regular education teachers, at least one of his special education teachers, a School District Representative, an individual who can interpret evaluation results (who may be either of the teachers or the School District Representative) and, if appropriate, the child himself.<sup>74</sup> The IEP must outline the student’s then-current educational status, establish annual goals, and detail the special educational services and other aids that the child will be provided.<sup>75</sup> 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.”<sup>76</sup>

### **IDEA’s Disciplinary Provisions**

If a child with a disability violates a code of student conduct, IDEA provides detailed procedures that the local educational agency (LEA), like School District, must follow to suspend or expel the child.<sup>77</sup> School personnel have unilateral power to suspend a child with a disability for up to ten days as they would a non-disabled child.<sup>78</sup>

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 school days to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the student’s disability.<sup>79</sup> If the LEA, 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

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<sup>73</sup> 20 U.S.C. §§ 1414(a)(1)(A)-(C).

<sup>74</sup> 20 U.S.C. § 1414(d)(1)(B).

<sup>75</sup> 20 U.S.C. § 1414(d)(1)(A)(i).

<sup>76</sup> 20 U.S.C. § 1414(d)(1)(A)(i)(VII).

<sup>77</sup> See generally Louisiana Bulletin 1706, § 530.

<sup>78</sup> See 20 U.S.C. § 1415(k)(1)(B) and Louisiana Bulletin 1706, § 530.

<sup>79</sup> Louisiana Bulletin 1706, § 530(E).

result of the LEA’s failure to implement the IEP, the conduct shall be determined to be a manifestation of the child’s disability.<sup>80</sup> 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.<sup>81</sup>

The law also provides that in special circumstances, the school personnel may remove a student to an interim alternative educational setting (IAES) for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student’s disability.<sup>82</sup> 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.<sup>83</sup> The term “serious bodily injury” for the purposes of disciplinary measures is bodily injury which involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.<sup>84</sup> When an expedited due process hearing is requested, the applicable regulations provide that the student shall remain in an interim alternative educational setting (IAES) pending the decision of the hearing officer or until the expiration of the suspension or 45-school-day period, whichever occurs first, unless the parent and the LDOE or School District agree otherwise.<sup>85</sup>

### **Rowley Standards**

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<sup>80</sup> Louisiana Bulletin 1706, § 530(E)(2); 34 C.F.R. § 300.530(e)(2) (2025); *see also* 20 U.S.C. § 1415(k)(1)(E)(i).

<sup>81</sup> Louisiana Bulletin 1706, § 530(F)(2); 34 C.F.R. § 300.530(f)(2) (2025).

<sup>82</sup> 20 U.S.C. § 1415(k)(1)(G); 34 C.F.R. § 300.530(g) (2025); and Louisiana Bulletin 1706 § 530.G(1)-(3).

<sup>83</sup> 20 U.S.C. § 1415(k)(1)(G); 34 C.F.R. § 300.530(g) (2025); and Louisiana Bulletin 1706 § 530.G(1)-(3).

<sup>84</sup> 18 U.S.C. § 1365(h)(3); 20 U.S.C. § 1415(k)(7)(D); 34 C.F.R. § 300.530(i)(3) (2025); and Louisiana Bulletin 1706 § 530.I(3).

<sup>85</sup> 20 U.S.C. § 1415(k)(4); 34 C.F.R. § 300.533 (2025); and Louisiana Bulletin 1706, § 533.

In *District of Education of Hendrick Hudson Central School District, Westchester County v. Rowley*,<sup>86</sup> the U.S. Supreme Court defined the contours of FAPE and established a two-pronged test to be used to determine if FAPE is being provided: (1) Has the State complied with the procedures set forth in the Act; and (2) Is the IEP that was developed through the Act's procedures reasonably calculated to enable the child to receive educational benefits?<sup>87</sup> If these procedural and substantive requirements are met, compliance with the obligations imposed by Congress have been met.<sup>88</sup>

The Supreme Court in *Endrew F. v. Douglas Cty. Sch. Dist. Re-I*, refined the substantive *Rowley* FAPE standard and stated that “a school must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”<sup>89</sup> The *Endrew F.* Court cautioned that its ruling “should not be mistaken for an invitation to the courts to substitute their own notions of sound educational policy for those of the school authorities” to whose expertise and professional judgment deference should be paid.<sup>90</sup> Consequently, a district court’s task is to determine whether a school district complied with IDEA and not to second guess their educational decision making.<sup>91</sup> Additionally, the U.S. Supreme Court has held that “the essential function of an IEP is to set out a plan for pursuing academic and functional advancement.”<sup>92</sup>

The following two-pronged inquiry is used to determine whether School District has provided FAPE under IDEA.

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<sup>86</sup> *District of Education of Hendrick Hudson Central School District, Westchester County v. Rowley*, 458 U.S. 176 (1982). (Although IDEA has been amended multiple times since 1982, *Rowley* is still controlling. *J.L. v. Mercer Island Sch. Dist.*, 592 F.3d 938, 951 (9th Cir. 2010)). The Supreme Court’s unanimous decision in *Endrew F. ex rel. Joseph F. v. Douglas Cnty. Sch. Dist. RE-I*, 580 U.S. 386, 399-401 (2017) did not overturn *Rowley*.

<sup>87</sup> *Rowley*, 458 U.S. at 206-207.

<sup>88</sup> *Id.* at 207.

<sup>89</sup> *Endrew F.*, 580 U.S. at 399.

<sup>90</sup> *Id.* at 404.

<sup>91</sup> *R.H. v. Plano Indep. Sch. Dist.*, 607 F.3d 1003, 1010 (5th Cir. 2010).

<sup>92</sup> *Id.*

## 1. Procedural Compliance

Parents failed to prove that School District violated IDEA's procedural requirements.

To satisfy the first prong of the *Rowley* test, the School District must comply with procedures set forth in the Act. Any violation of the procedural requirements of IDEA amounts to a denial of FAPE if it impedes the child's right to FAPE, significantly impedes the 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.<sup>93</sup>

Parent alleged that School District (a) violated the disciplinary sequence because the manifestation determination review (MDR) was conducted after the expulsion hearing, (b) had procedural defects in the MDR because the MDR was conducted without factual basis to support Minor's conduct during the December 11, 2025, incident caused serious bodily injury to In-School Suspension Presider, (c) violated stay-put protections by removing Minor to an IAES instead of keeping Minor in Minor's then-current educational placement, (d) predetermined Minor's placement because placement decisions were made before the MDR and IEP meeting, and (e) created a deficient behavior intervention plan (BIP) for Minor because School District revised the BIP without Parent's meaningful participation.

### *(a) Parent Failed to Prove that School District Violated the Disciplinary Sequence.*

Parent's allegation that School District violated the disciplinary sequence because the MDR was conducted after the expulsion hearing is without merit.

The IDEA's disciplinary provisions mandate an MDR within ten school days of any decision to change the placement of a student with a disability because of a violation of a code of

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<sup>93</sup> 20 U.S.C. § 1415(f)(3)(E)(ii).

student conduct.<sup>94</sup> A change in placement for disciplinary removal occurs if the student is removed for more than 10 consecutive school days, or when a series of short-term disciplinary removals cumulatively add up to more than 10 school days in a school year and the removals constitute a pattern.<sup>95</sup> Prior to December 11, 2025, Minor did not have a change in placement because ■ had a total of less than 10 consecutive disciplinary removals (in-school and out of school suspensions) and was not entitled to an MDR. After the incident on December 11, 2025, Minor received a four-day out-of-school suspension pending further consequences. However, Parent did not show a pattern of removal that cumulatively added up to more than 10 school days in a school year. Additionally, nothing in the IDEA provisions prescribes when an expulsion hearing must be held.

Based on the December 11, 2025, incident, Principal recommended the expulsion of Minor. Parent requested an expulsion hearing, which was held on December 19, 2025. The Hearing Officer also recommended that Minor be expelled. On December 22, 2025, School District's Superintendent agreed with the Hearing Officer and upheld the expulsion recommendation.<sup>96</sup> School District's Superintendent imposed a minimum expulsion term of 45 days and provided Parent with information of School District's alternative program, where Minor may attend to ensure Minor's education is not interrupted. Because School District decided on December 22, 2025, to change Minor's placement due to the violation of the code of student conduct, School District was mandated to conduct an MDR within 10 school days or by January 21, 2026.<sup>97</sup> The MDR occurred on January 7, 2026, less than 10 school days later; therefore, Parent failed to prove that School District violated the disciplinary sequence.

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<sup>94</sup> Louisiana Bulletin 1706, § 530(E).

<sup>95</sup> Louisiana Bulletin 1706, § 536; 34 C.F.R. § 300.536 (2025).

<sup>96</sup> SD-8, p. 1.

<sup>97</sup> School District calendar reflects that December 22, 2025, through January 5, 2026, were not school days; students returned to school January 6. See footnote 51 above.

*(b) Parent Failed to Prove that there were Procedural Defects in the MDR.*

Parent's allegation that there were procedural defects in the MDR because the MDR was conducted without factual basis to support Minor's conduct during the December 11, 2025, incident caused serious bodily injury to In-School Suspension Presider is without merit.

IDEA's disciplinary provisions mandate an MDR be conducted within 10 school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct.<sup>98</sup> The purpose of the MDR is to determine whether the behavior for which the student was disciplined was caused by or directly and substantially related to the student's disability or whether the conduct that led to the disciplinary action was the direct result of the School District's failure to implement the student's IEP.<sup>99</sup> The members of the student's IEP Team are the MDR participants and must consider all relevant information in the student's file, including the student's IEP, the student's disciplinary and behavioral history and records, any available medical information related to behavior, any teacher observations, and any relevant information provided by the parent.<sup>100</sup>

At the MDR, the Team must determine (1) whether the conduct that led to the disciplinary action was caused by or substantially related to the student's disability; and (2) whether the conduct that led to the disciplinary action was the direct result of School District's failure to implement the student's IEP. If the answer to either of these questions is yes, then the behavior is deemed to be a "manifestation" of the disability and the student cannot be removed except for a few special circumstances, including when the student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.<sup>101</sup>

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<sup>98</sup> Louisiana Bulletin 1706, § 530(E).

<sup>99</sup> Louisiana Bulletin 1706, § 530(E)(1)(a)-(b).

<sup>100</sup> Louisiana Bulletin 1706, § 530(E)(1).

<sup>101</sup> Louisiana Bulletin 1706, §§ 530(F) and 530(G)

The members of Minor's IEP Team, including Parent, participated in an MDR on January 7, 2026.<sup>102</sup> As documented in the MDR summary of information considered, the participants considered all relevant information in Minor's file, including Minor's IEP, Minor's disciplinary and behavioral history and records, any teacher observations, and any relevant information provided by Parent.<sup>103</sup> During the MDR process, School Social Worker documented Parent's input and votes of the members of Minor's IEP Team regarding the two questions they must answer: (1) was the conduct in question caused by or substantially related to Minor's disability? and (2) was the conduct in question the direct result of the School District's failure to implement Minor's IEP?<sup>104</sup> The MDR participants, except Parent, voted no to both questions.<sup>105</sup>

Based on the preponderance of the evidence, Minor's MDR participants carried out the MDR mandate in accordance with IDEA and related regulations. Because the MDR participants' mandate is not to determine whether Minor's conduct during the December 11, 2025, incident caused serious bodily injury to In-School Suspension Presider, Parent failed to prove that there were procedural defects in the MDR.

*(c) Parent Failed to Prove that School District Violated Stay-Put Protections.*

Parent's allegation that School District violated stay-put protections by removing Minor to an IAES instead of keeping Minor in Minor's then current educational placement is without merit.

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<sup>102</sup> SD-14 and testimony of School Social Worker, Transcript pp. 157, 165, 166.

<sup>103</sup> SD-14 and testimony of School Social Worker, Transcript pp. 157, 165, 166, 169.

<sup>104</sup> SD-14, pp. 5-6 and testimony of School Social Worker, Transcript pp. 166, 168.

<sup>105</sup> SD-14, p. 5.

*Except when an expedited hearing is requested*, during the pendency of any administrative or judicial proceedings, unless the state or local educational agency and the parents of the student agree otherwise, the student is entitled to remain in the student’s then-current educational placement.<sup>106</sup> (emphasis added) The student’s current educational placement pending the completion of due process hearing procedures is typically known as stay-put. Stay-put is part of the IDEA procedural safeguards to benefit the parents and the student during litigation and operates as an automatic injunction that prevents schools from unilaterally altering a student’s placement.<sup>107</sup> The stay-put provision acts as a powerful protective measure to prevent disruption of the student’s education throughout the dispute process.<sup>108</sup> This procedural safeguard limits school districts’ authority to unilaterally exclude eligible students from school and allows students to remain in their current educational placement pending the outcome of due process hearings.<sup>109</sup>

However, when an expedited hearing is requested, *as in the present case*, the applicable regulations provide that the student shall remain in the IAES pending the decision of the hearing officer or until the expiration of the suspension or 45-school-day period, whichever occurs first, unless the parent and the LDOE or School District agree otherwise.<sup>110</sup> Because Parent filed for an expedited hearing to challenge School District’s (a) decision to change Minor’s placement and (b) the MDR, Minor must remain in the IAES pending the decision of the undersigned Administrative Law Judge or until the expiration of the 45-school-day period, unless Parent and

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<sup>106</sup> 20 U.S.C. § 1415(j); 34 C.F.R. § 300.518(a) (2025); and Louisiana Bulletin 1706, § 518(A).

<sup>107</sup> *Casey K. ex rel. Norman K. v. St. Anne Cmty. High Sch. Dist.*, 400 F.3d 508, 511 (7th Cir. 2005).

<sup>108</sup> *Joshua A. v. Rocklin Unified Sch. Dist.*, 559 F.3d 1036, 1040 (9th Cir. 2009).

<sup>109</sup> The Supreme Court has stated that section 1415(j) of the IDEA is “unequivocal,” stating “plainly” that a school board shall not change the current education placement of the child without the consent of the parents or until the issue is resolved through the administrative hearing process. *Honig v. Doe*, 484 U.S. 305, 323 (1998); *see Cronin v. Bd. of Educ. of East Ramapo Cent. Sch. Dist.*, 689 F. Supp. 197, 203 (S.D.N.Y. 1988); *see also R.B. v. Mastery Charter Sch.*, 532 F. App’x 136 (3d Cir. 2013).

<sup>110</sup> 20 U.S.C. § 1415(k)(4); 34 C.F.R. § 300.533 (2025); and Louisiana Bulletin 1706, § 533.

the LDOE or School District agree otherwise. Additionally, because Minor's conduct during the December 11, 2025, incident caused serious bodily injury to In-School Suspension Presider,<sup>111</sup> School District has the authority to remove Minor to an IAES in accordance with IDEA and Louisiana regulations.<sup>112</sup> Parent failed to prove that School District violated stay-put protections.

*(d) Parent Failed to Prove that School District Predetermined Minor's Placement*

Parent's allegation that School District predetermined Minor's placement because placement decisions were made before the MDR and IEP meeting is without merit.

As discussed above, if a student inflicts serious bodily injury upon another person while at school, School District personnel may remove the student to IAES for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability.<sup>113</sup> In the present case, because Minor, while at school, inflicted serious bodily injury upon In-School Suspension Presider, School District had the authority to remove Minor to IAES for not more than 45 school days without regard to whether Minor's behavior is determined to be a manifestation of Minor's disability.

Although Parent referred to emails from School personnel to support [REDACTED] contention that School District predetermined Minor's placement, the emails do not support Parent's contention. The emails reflect that School staff discussed next steps *if* the expulsion was upheld, like scheduling an MDR IEP meeting, and getting materials in place.<sup>114</sup> (emphasis added) Those discussions do not show that a final determination had been made regarding Minor's placement. Based on a preponderance of the evidence, Parent failed to prove that School District predetermined Minor's placement.

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<sup>111</sup> The full analysis of serious bodily injury is discussed below under *Cypress-Fairbanks Factor Two*.

<sup>112</sup> 20 U.S.C. § 1415(k)(1)(G); 34 C.F.R. § 300.530(g) (2025); and Louisiana Bulletin 1706, § 530.G(3).

<sup>113</sup> 20 U.S.C. § 1415(k)(1)(G); 34 C.F.R. § 300.530(g) (2025); and Louisiana Bulletin 1706 § 530.G(1)-(3).

<sup>114</sup> SD-25, pp. 22-23; testimony of Principal, Transcript pp. 41-42.

*(e) Parent Failed to Prove that Minor's BIP was Deficient.*

Parent alleged that Minor's BIP was deficient because School District revised the BIP without Parent's meaningful participation. Although during the MDR, Parent stated that ■ did not feel like the BIP was properly implemented, at the hearing, ■ did not provide any evidence to support ■ contention; therefore, Parent failed to prove that Minor's BIP was deficient.

## **2. Substantive Compliance**

Parent failed to prove that Minor's IEP was not reasonably calculated to enable Minor to receive educational benefits.

To satisfy the second prong of the *Rowley* test, the School District must have developed and implemented an IEP reasonably calculated to provide meaningful educational benefits. The U.S. Supreme Court in *Endrew F.* refined the second prong of the *Rowley* test and determined, the IEP must be reasonably calculated to enable child to make progress in light of child's circumstances.<sup>115</sup>

In determining whether the second test 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.*<sup>116</sup> established a four-factor test. The four factors are: (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?<sup>117</sup> The Fifth Circuit has treated the factors "as indicators of when an IEP meets the requirements of IDEA," but has not specified how these

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<sup>115</sup> *Endrew F.*, 580 U.S. at 399-404.

<sup>116</sup> *Cypress-Fairbanks Indep. Sch. Dist. v. Michael F. by Barry F.*, 118 F.3d 245 (5th Cir. 1997).

<sup>117</sup> *Id.* at 253.

factors should be weighed.<sup>118</sup> The factors are a guide in a fact-intensive inquiry of whether an IEP provided educational benefit.<sup>119</sup> Where a “party [is] challenging the implementation of an IEP[, as Parent is, that party] must show more than a *de minimis* failure to implement all elements of that IEP, and, instead, must demonstrate that the school [district] or other authorities failed to implement substantial or significant provisions of the IEP.”<sup>120</sup>

*Cypress-Fairbanks Factor One*

Parent did not allege that Minor’s IEP was not individualized based on Minor’s assessed abilities and performance.

*Cypress-Fairbanks Factor Two*

Parent failed to prove that 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.”<sup>121</sup> The requirement that the child be educated in the “general education curriculum” reflects the notion that disabled children must be placed in the “least restrictive environment” in which they can receive FAPE.<sup>122</sup> Where a disabled child has been correctly removed from his current educational placement for a violation of a code of conduct, the school board must ensure that the child continues to receive educational services . . .

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

<sup>119</sup> See *Richardson*, 580 F.3d at 293; *Klein*, 690 F.3d at 396.

<sup>120</sup> *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).

<sup>121</sup> 20 U.S.C. § 1412(a)(5)(A).

<sup>122</sup> *M.S. ex rel. Simchick v. Fairfax Cnty. Sch. Bd.*, 553 F.3d 315, 327 (4th Cir.2009); *DeVries By DeBlaay v. Fairfax Cnty. 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.”).

so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.<sup>123</sup>

Under IDEA's disciplinary provisions, school personnel may remove a child to an IAES for not more than 45 school days without regard to whether the child's behavior is determined to be a manifestation of the child's disability, if the child has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the state or School District.<sup>124</sup> Serious bodily injury is bodily injury which involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.<sup>125</sup>

Whether there is serious bodily injury is a question of fact based on the totality of the circumstances.<sup>126</sup> There is no dispute that Minor forcefully pushed In-School Suspension Presider on her left side rib area and in the chest and punched her with a closed fist. The issue is whether In-School Suspension Presider sustained serious bodily injury. Generally, testimony from medical providers, the injured party, or lay witnesses can be sufficient to establish a serious bodily injury; however, each case turns on the particular facts.<sup>127</sup> The record supports School District's determination that Minor's conduct caused serious bodily injury to In-School Suspension Presider.

In-School Suspension Presider provided credible testimony about what preceded the incident, how Minor refused to do ■ math work and became agitated, how Minor tried to turn off the lights in the deescalation room and how In-School Suspension Presider used her hands to

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<sup>123</sup> 34 C.F.R. § 300.530(d)(1)(i); Louisiana Bulletin 1706 § 530(D).

<sup>124</sup> 20 U.S.C. § 1415(k)(1)(G); 34 C.F.R. § 300.530(g) (2025); Louisiana Bulletin 1706 § 530(G)(3).

<sup>125</sup> 18 U.S.C. § 1365(h)(3); 20 U.S.C. § 1415(k)(7)(D); 34 C.F.R. § 300.530(i)(3) (2025); Louisiana Bulletin 1706 § 530(I)(3).

<sup>126</sup> *United States v. Johnson*, 637 F.2d 1224, 1246 (9<sup>th</sup> Cir. 1980).

<sup>127</sup> See *United States v. Muyet*, 994 F. Supp. 501, 519 (S.D.N.Y. 1998).

cover the light switch.<sup>128</sup> Minor then ran up to In-School Suspension Presider and used both hands to forcefully push In-School Suspension Presider on her left side of her ribs.<sup>129</sup> In-School Suspension Presider described the pain from the injury as a sharp shooting pain that went across her back and chest and anytime she moved or bent over, she could hear clicking and a popping sound.<sup>130</sup> School District provided In-School Suspension Presider's medical record which shows that she was diagnosed with "chest pain, unspecified, multiple fracture of ribs, left side, initial encounter for closed fracture."<sup>131</sup> In-School Suspension Presider's medical provider permitted her to return to work with the following restrictions: no lifting, pulling, or pushing anything greater than five pounds; and to "avoid environments which can result in further assault."<sup>132</sup> In-School Suspension Presider's medical provider also prescribed her anti-inflammatory medication.<sup>133</sup> In-School Suspension Presider returned to work on December 16, 2025.<sup>134</sup> In-School Suspension Presider also testified that she still experiences pain and discomfort, especially when she coughs or sneezes.<sup>135</sup> Parent failed to offer any evidence to refute the testimony of In-School Suspension Presider.

Based on the evidence in the record, In-School Suspension Presider's injury, multiple fracture of ribs, left side, meets the definition of serious bodily injury because she suffered extreme physical pain from the multiple fractured ribs caused by Minor's conduct. Because School District correctly decided that Minor's least restrictive environment for educational program is an IAES, Parent failed to prove that Minor's educational program was not provided in the least restrictive environment.

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<sup>128</sup> Testimony of In-School Suspension Presider, Transcript p. 123.

<sup>129</sup> Testimony of In-School Suspension Presider, Transcript p. 124.

<sup>130</sup> Testimony of In-School Suspension Presider, Transcript pp. 131-133.

<sup>131</sup> SD-5, pp. 2, 4-5; testimony of In-School Suspension Presider, Transcript p. 137.

<sup>132</sup> SD-5, pp. 2, 4-5; testimony of In-School Suspension Presider, Transcript pp. 126-127.

<sup>133</sup> Testimony of In-School Suspension Presider, Transcript p. 145.

<sup>134</sup> Testimony of In-School Suspension Presider, Transcript p. 127.

<sup>135</sup> Testimony of In-School Suspension Presider, Transcript p. 133.

Cypress-Fairbanks Factor Three

Parent failed to prove that services were not sufficiently provided in a coordinated and collaborative manner by the key stakeholders.

School District's failure to provide all the services and modifications outlined in an IEP does not constitute a *per se* violation of IDEA.<sup>136</sup> To demonstrate lack of coordination among the 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 district or other authorities failed to implement substantial or significant provisions of the IEP."<sup>137</sup> The Court in *Van Duyn v. Baker*, stated that

when a school district does not perform exactly as called for by the IEP, the district does not violate [IDEA] unless it is shown to have materially failed to implement the child's IEP. A material failure occurs when there is more than a minor discrepancy between the services provided to a disabled child and those required by the IEP.<sup>138</sup>

Coordination and collaboration require participants to communicate outside of IEP meetings to ensure the child's needs are met.<sup>139</sup>

Parent alleged that School District failed to implement appropriate behavioral supports. Minor's BIP was created on November 5, 2025.<sup>140</sup> The BIP addressed the following behaviors: disruptive behaviors, non-compliance, physical aggression, elopement, and property destruction.<sup>141</sup> A crisis plan was created for Minor on November 5, 2025.<sup>142</sup> Minor's BIP was

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<sup>136</sup> See *Bobby R.*, 200 F.3d at 349. See *L.D. by and through Heather D. v. Friendswood Indep. Sch. Dist.* 733 F.Supp.3d 612, 618 (S.D. Tex. May 7, 2024).

<sup>137</sup> See *Bobby R.*, 200 F.3d at 349; *D.B. v. Houston Indep. Sch. Dist.*, No. Civ. A. H-06-354, 2007 WL 2947443 at \*10 (S.D. Tex. Sept. 29, 2007).

<sup>138</sup> *Van Duyn v. Baker School Dist.* 5J, 502 F. 3d 811, 815 (9th Cir. 2007).

<sup>139</sup> *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).

<sup>140</sup> SD-9, p. 1.

<sup>141</sup> *Id.*

<sup>142</sup> *Id.*

officially added to the IEP on November 17, 2025, during a virtual IEP meeting, with Parent in attendance.<sup>143</sup> At the virtual IEP meeting, Minor's goals were reviewed.<sup>144</sup> Prior to the meeting Parent was provided drafts of the BIP in the crisis plan.<sup>145</sup> Minor's BIP was revised on December 15, 2025, and January 5, 2026.<sup>146</sup> The revised BIP addressed the following behaviors: disruptive behaviors, non-compliance, physical aggression, elopement, property destruction and profanity.<sup>147</sup>

The record is replete with information about how key stakeholders and School staff provided services to Minor in a coordinated and collaborative manner. Namely, Principal communicating with Minor's teacher and Parent on Minor's behavior goal, and with Minor's teacher and In-School Suspension Presider on different strategies to implement with Minor; the IEP Team creating a crisis management plan from the data collected and used in the BIP;<sup>148</sup> and the MDR participants collaborating by reviewing all relevant information in Minor's file, including Minor's IEP, Minor's disciplinary and behavioral history and records, any teacher observations, and any relevant information provided by Parent before making a determination.<sup>149</sup>

Although at the MDR, Parent stated that ■ did not feel like the BIP was properly implemented, at the hearing, Parent did not present any evidence that the BIP was not properly implemented. Considering the above, Parent failed to prove that School District failed to administer Minor's IEP in a coordinated and collaborative manner by the key stakeholders.

*Cypress-Fairbanks Factor Four*

Parent failed to prove that Minor did not achieve positive academic and non-academic

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<sup>143</sup> Testimony of Principal, Transcript pp. 56, 91.

<sup>144</sup> Testimony of Principal, Transcript p. 91.

<sup>145</sup> *Id.*

<sup>146</sup> SD-9, p. 1.

<sup>146</sup> SD-9, p. 8.

<sup>147</sup> *Id.*

<sup>148</sup> Testimony of Principal, Transcript p. 50.

<sup>149</sup> SD-14; testimony of School Social Worker, Transcript pp. 157, 165, 166, 169.

benefits from his IEP and BIP.

In *Houston Independent School District v. V.P. ex rel. Juan P.*, the Fifth Circuit described this fourth factor as “[p]erhaps one of the most critical factors . . . .”<sup>150</sup> The factor seeks to determine “whether the student was obtaining benefits from the IEP.”<sup>151</sup> In *Endrew F.*, the Supreme Court stated that “the essential function of an [individualized education program] is to set out a plan for pursuing academic and functional advancement.”<sup>152</sup>

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.”<sup>153</sup> 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.<sup>154</sup> In *Endrew F.*, the Supreme Court stated that “[t]o 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.”<sup>155</sup> The adequacy of a given IEP turns on the unique circumstances of the child for whom it was created.<sup>156</sup>

Minor’s BIP was created on November 5, 2025, and at that time Minor’s grades were Reading-F, Writing-C, Math-F, and Social Living-F.<sup>157</sup> After his BIP was revised, Minor’s grades were Reading-D, Writing-C, Math-C, and Social Living-F.<sup>158</sup> Because it is not necessary

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<sup>150</sup> *V.P. ex rel. Juan P.*, 582 F.3d at 588.

<sup>151</sup> *Id.* (citing *Cypress-Fairbanks*, 118 F.3d at 252).

<sup>152</sup> *Endrew F.*, 580 U.S. at 387.

<sup>153</sup> *Richardson*, 580 F.3d at 292 (citing *Cypress-Fairbanks*, 118 F.3d at 248).

<sup>154</sup> *Bobby R.*, 200 F.3d at 349.

<sup>155</sup> *Endrew F.*, 580 U.S. at 399.

<sup>156</sup> *Id.* at 404.

<sup>157</sup> SD-9, p. 1.

<sup>158</sup> SD-9, p. 8.

for a child to improve in every area to receive an educational benefit, Minor's progress in only Reading and Math are more than trivial, particularly in light of Minor's circumstances and unique needs.<sup>159</sup> Considering the above, Parent failed to prove that Minor did not achieve positive academic and non-academic benefits from ■ IEP and BIP.

**Conclusion**

Parent failed to prove that School District violated the IDEA and that Minor did not receive a FAPE. Considering the above, Parent is not entitled to the remedies sought.

**ORDER**

**IT IS ORDERED** that Parent's January 9, 2026, expedited due process complaint against the School District is **DISMISSED**.

Rendered and signed on February 25, 2026, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Wednesday, February 25, 2026, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



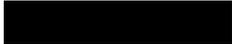
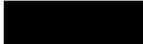
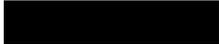
Adaora Chukudebelu  
Administrative Law Judge  
Division of Administrative Law

**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.

<sup>159</sup> *Bobby R.*, 200 F.3d at 349.

### Legend

Parent	
Minor	
School District	Ascension Parish School Board
School	
School District Representative	Shannon Arceneaux
Principal	
Grandmother	
In-School Suspension Presider	
School Social Worker	
Special Education Coordinator	
Parent's Advocates	
Special Education Teachers	
Regular Education Teachers	
Official Designated Representative	
Speech Therapist	
Special Needs Counselor	
School Nurse	
Training Nurse	

School District Calendar located on School District website:  
<https://www.ascensionschools.org/about/calendars-publications/2025-2026-district-calendar>

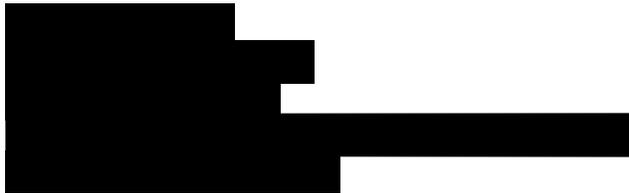
**CERTIFICATE OF SERVICE**

I certify that the attached **Decision and Order** in **Docket No. 2026-1071-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on February 25, 2026.

Clerk of Court

Division of Administrative Law

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



**BY CERTIFIED MAIL AND ELECTRONIC MAIL**

Wayne T. Stewart  
Attorney at Law  
2431 South Acadian Thruway, Suite 600  
Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **6563**  
[wstewart@hamsil.com](mailto:wstewart@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL**

Ascension Public Schools  
Attn: Dr. Edith M. Walker, Superintendent  
1100 Webster Street  
Donaldsonville, LA 70346

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-32



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2026-1170-DOE-IDEA**

**\***

**IN THE MATTER OF**

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**\***

**PARENT ON BEHALF OF CHILD**

**\* AGENCY ID. 56-H-32-E**

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**ORDER TERMINATING ADJUDICATION**

Parent requested a due process hearing to challenge School District’s actions under the Individuals with Disabilities Education Act. On February 5, 2026, Wayne Stewart, counsel for School District, appeared for a telephone status conference. Parent did not participate in the telephone conference despite being noticed of the conference. During the telephone conference, Mr. Stewart advised that the parties successfully mediated the matter and that Parent agreed to withdraw their request for a due process hearing. On February 18, 2026, Parent filed a *Withdrawal of Hearing Request*. Parent’s request for a due process hearing is dismissed.

**ORDER**

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

**IT IS FURTHER ORDERED** that Parent’s request for a due process hearing is **DISMISSED**, and the adjudication under docket number 2026-1170-DOE-IDEA is **TERMINATED**.

Rendered and signed on February 18, 2026, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Thursday, February 19, 2026, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



William H. Cooper  
Administrative Law Judge  
Division of Administrative Law

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

**Legend**

Parent



Minor



School District

Rapides Parish School Board

School District Representative

Jeff Powell and Michael Yoist

**CERTIFICATE OF SERVICE**

I certify that the attached **Order Terminating Adjudication** in **Docket No. 2026-1170-DOE-IDEA** has been served to the following individuals by regular, first-class mail, certified mail, and/or electronic mail on February 19, 2026.

Clerk of Court

Division of Administrative Law

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



**BY ELECTRONIC MAIL AND CERTIFIED MAIL**

Wayne T. Stewart  
Attorney at Law  
2431 South Acadian Thruway, Suite 600  
Baton Rouge, LA 70808  
CERTIFIED MAIL #7019 2280 0000 0865 **6457**  
[wstewart@hamsil.com](mailto:wstewart@hamsil.com)

**BY REGULAR, FIRST-CLASS MAIL**

Rapides Parish School Board  
Attn: Jeff Powell, Superintendent  
619 Sixth Street  
Alexandria, LA 71306

**BY ELECTRONIC MAIL ONLY**

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

# Louisiana Special Education Due Process Hearing

56-H-33



# Louisiana Special Education Due Process Hearing

56-H-34



# Louisiana Special Education Due Process Hearing

56-H-35



# Louisiana Special Education Due Process Hearing

56-H-36



# Louisiana Special Education Due Process Hearing

56-H-37



# Louisiana Special Education Due Process Hearing

56-H-38



**STATE OF LOUISIANA  
DIVISION OF ADMINISTRATIVE LAW**

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

**\* DOCKET NO. 2026-3115-DOE-IDEA**

**\***

**IN THE MATTER OF**

**\***

**\***

**PARENTS ON BEHALF OF MINOR**

**\* AGENCY ID. 56-H-38**

\*\*\*\*\*

**CONFERENCE REPORT AND ORDER TERMINATING ADJUDICATION**

On January 30, 2026, the Louisiana Department of Education received a written request for a due process hearing from Parents on behalf of Minor. A telephone prehearing conference was held February 18, 2026, before Administrative Law Judge Adaora Chukudebelu with the Division of Administrative Law (DAL). Participating in the conference was Parris A. Taylor, Counsel for School District; Parents did not appear for the conference.

At the conference, Mr. Taylor stated that School District provided him with documentation from Parent-N indicating that the issues contained in the written request for a due process hearing have been resolved. Upon notifying Mr. Taylor that DAL did not receive the documentation from Parent-N, he stated that he will forward same to DAL. After the conference Mr. Taylor forwarded the letter from Parent-N to DAL, which reflects Parent-N's voluntary withdrawal of the written request for a due process hearing.

**ORDER**

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

Rendered and signed on February 18, 2026, in Baton Rouge, Louisiana.

**NOTICE OF TRANSMISSION OF DECISION OR ORDER**

I certify that on Wednesday, February 18, 2026, I have sent a copy of this decision/order to all parties of this matter.

**Clerk of Court**

Division of Administrative Law



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

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

Legend

Parents	[REDACTED]
Parent -N	[REDACTED]
Minor	[REDACTED]
School District	St. Tammany Parish Public School System
School District Representative	Kerri Soo



# Louisiana Special Education Due Process Hearing

56-H-39



# Louisiana Special Education Due Process Hearing

56-H-40



# Louisiana Special Education Due Process Hearing

56-H-41



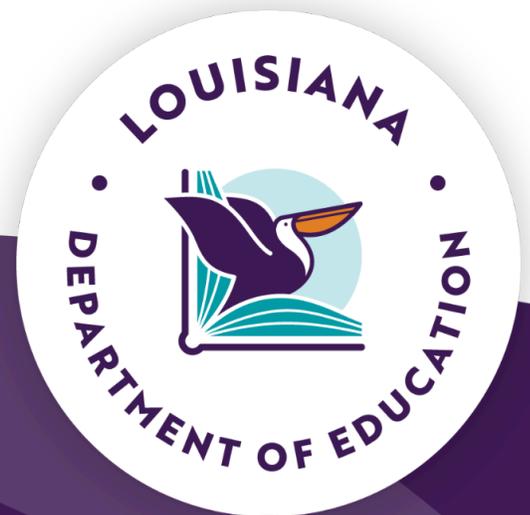
# Louisiana Special Education Due Process Hearing

56-H-42



# Louisiana Special Education Due Process Hearing

56-H-43



# Louisiana Special Education Due Process Hearing

56-H-44



# Louisiana Special Education Due Process Hearing

56-H-45



# Louisiana Special Education Due Process Hearing

56-H-46



# Louisiana Special Education Due Process Hearing

56-H-47



# Louisiana Special Education Due Process Hearing

56-H-48

