

**SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123**

**STUDENT, B/N/F PARENT,
Petitioner**

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**BEFORE A SPECIAL
EDUCATIONAL HEARING OFFICER**

v.

**TEXAS LEADERSHIP PUBLIC
SCHOOLS,
Respondent**

I. STATEMENT OF THE CASE

SOAH DOCKET NO. 701-23-09425.IDEA
TEA

PAGE 3

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 4
DECISION OF THE HEARING OFFICER

V. FINDINGS OF FACT

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 5
DECISION OF THE HEARING OFFICER

Student's 2021 Reevaluation and 2021-22 IEP

CONFIDENTIAL
Pursuant to FERPA – 20 U.S.C. § 1232g;
34 C.F.R. Part 99

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 6
DECISION OF THE HEARING OFFICER



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Pursuant to FERPA – 20 U.S.C. § 1232g;
34 C.F.R. Part 99

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 8
DECISION OF THE HEARING OFFICER

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Pursuant to FERPA – 20 U.S.C. § 1232g;
34 C.F.R. Part 99

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 10
DECISION OF THE HEARING OFFICER

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 11
DECISION OF THE HEARING OFFICER

VI. DISCUSSION

A. Duty to Provide FAPE

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 12
DECISION OF THE HEARING OFFICER

B. Burden of Proof

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SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 14

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 15
DECISION OF THE HEARING OFFICER

2. Least Restrictive Environment

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 16
DECISION OF THE HEARING OFFICER

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SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 17
DECISION OF THE HEARING OFFICER

3. Services Provided in a Coordinated, Collaborative Manner by Key Stakeholders

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE- 701L

PAGE 18

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34 C.F.R. Part 99

SOAH DOCKET NO. 701-23-09425.IDEA

PAGE.1 ER)2.6 PAT9303.3 D

SOAH DOCKET NO. 701-23-09425.IDEA
TEA DOCKET NO. 141-SE-0123

PAGE 20
DECISION OF THE HEARING OFFICER

of evaluation to assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. 34 C.F.R. § 300.304(b)(3). It must also be sufficiently comprehensive to identify the student’s special education and related service needs, whether they are commonly linked to the disability category in which the child has been classified. 34 C.F.R. § 300.304(c)(6). Before conducting a reevaluation, a school district must obtain parental consent. 34 C.F.R. § 300.300(c).

E. Implementation of the IEP

Petitioner also claimed the District did not appropriately implement Student's IEP. To prevail on a claim under the IDEA, the party challenging implementation of the IEP must show more than a *de minimis* failure to implement all elements of that IEP, and, instead, must demonstrate that the school district failed to implement substantial or significant provisions of the IEP. This approach affords school districts some flexibility in implementing IEPs while also holding them accountable for material failures and for providing each student with a disability a FAPE. *Bobby R.*, 200 F. 3d at 349. Failure to implement a material portion of an IEP violates the

