Petitioner argues that Petitioner has not received sufficient progress reports. However, by Parent's own admission during the January 2024 ARD Committee meeting, Parent received progress reports every week. The District also sent home detailed progress reports on Student's progress toward Student's IEP goals. Teachers were also in regular email communication with Parent.

Petitioner also alleges the District should have considered private school placement and compensatory education. The District held an ARD Committee meeting to do just that in January 2024. The District did not feel it owed compensatory education for not providing Student special education and related services at the beginning of the 2023-24 school year because Parent revoked consent in writing to provide those services.

The District believed Student would thrive in the *** classroom and did not need a private school setting. Student was being educated in the *** classroom, which was designed for students with a variety of disabilities during the 2022-23 school year. At the end of the school year, Parent revoked consent for special education and related services, and Student therefore began the 2023-24 school year in a general education classroom without supports.

That was not effective, so beginning in October 2023, the District and Parent agreed that the District would add special education

to Parent's request that the District only call when Student was not present, it did not violate any portion of the IEP or BIP. This was not an intervention in the IEP or BIP. It also seems to be an isolated incident as District personnel were aware not to call Parent while Student was in the room. This was the only example of them forgetting to ensure Student was not in the room. Thus, even if that information had been written into Student's IEP or BIP, an isolated incident would not have been sufficient to constitute a "substantial" or "significant" failure to implement the IEP. See Bobby R., 200 F.3d at 349. This sort of intervention could have been addressed in a safety plan, but the District acceded to Parent's desire not to have one.

Petitioner did not demonstrate other areas in which the District did not implement the IEP or BIP. Petitioner thus did not present sufficient evidence of teachers failing to implement "material aspects" the IEP. See id.

VII. CONCLUSIONS OF LAW

1. The burden of proof in a due process hearing is on the