



program; however, Petitioner withdrew this issue at the due process hearing.

In addition, Petitioner filed a complaint \*\*\* position that Student no longer qualified for \*\*\* was defective. Petitioner also alleged that \*\*\*. At the November 7, 2014 prehearing conference, this hearing officer dismissed allegations \*\*\* for lack of jurisdiction.

**Requested Relief**

Petitioner requested the following relief:

1. An order directing Respondent to provide appropriate compensatory educational and related services to Student;
2. An order directing Respondent to provide Student with transportation services and speech services;
3. An order directing Respondent to reimburse Parent for any private educational and/or related services provided to Student, including tutorial and transportation costs;
- 4.
5. In the alternative, any and all relief deemed appropriate by the hearing officer or by a court of competent jurisdiction.

During the prehearing conference, Petitioner acknowledged that this hearing officer lacks of jurisdiction to award

**Findings of Fact**

Based on the evidence before this hearing officer, the following are the findings of fact in the instant action.

exhibit number. Cit

1. Since age \*\*\*, Student has been and remains eligible as a child with a disability in need of special education \*\*\* and \*\*\* grade, Student was also eligible as a child with speech impairment. In \*\*\*, 2014, Student was dismissed from speech therapy. P-1, 2; R-1, 2; T-19
2. Parent describes Student as initially having no speech, no eye contact, and no social interaction skills. Student screamed and ran around. Through time, with \*\*\*, Student grew to a functioning level. Presently, Parent describes Student as having regression and retention difficulties that require review of previously covered subject matter. T-22-23, 31
3. Student has attended LCISD since \*\*\*. Currently, Student is in \*\*\* grade. T-18
4. Since \*\*\* grade, Student has been in a general education setting with in-class support. P-1, 2, 3; R-1, 2, 4, 5; T-22
- 5.

indicated that the service migh

class. The ARDC agreed to reduce inclusion support from 45 to 15 minutes per core class to occur at the end of  
was attached to the October ARDC  
documents. P-1; R-1; T-185

17. Student receives more than 15 minutes of inclusion support in math class. Student receives 15 minutes of inclusion in social studies throughout the class period rather than at the end of the class period. T-190, 208, 209
18. current accommodations include check for understanding, one day of extra time with assignments and tests, oral administration of tests, preferential seating, reminders to stay on task, small group testing, spelling assis  
services include 20 minutes of counseling during the first, third, fourth, sixth, and eighth week of a nine-week period. Student also receives school health services \*\*\*. P-1; R-1
19. In October of the current school year \*\*\* in Math to \*\*\* in social studies. P-1; R-1
20. Student has a positive attitude in \*\*\* Student is diligent in keeping  
Stu agenda. On occasion, Student is unorganized and has difficulty with vocabulary. T-159, 202
21. Student is an A/B student in \*\*\* class. Student has no deficits in the areas of group projects or performances. Socially, Student shows no deficits. Parent testified that Student exhibits a deficit in retention and such is reflected in written tests. T-162, 163
22. Student asks questions of teachers if Student Student is focused and on task.  
Student keeps agenda organized. Student recognizes when Student needs to go onto Edmodo to take  
Student is capable of  
completing work independently and timely. T-100-101,183-186, 197
23. Student independently navigates safely through the school environment. T-95, 129, 146
24. District provides support for students to help them keep up with what is coming due and provides them with information that they need through two avenues: Remind 101 and Edmodo. Remind 101 is a text message that District uses to send reminders of assignments that are due the next day, or tests that will be given. Student knows how to utilize both. T-100-101
25. \*\*\*

that year. Student and Ms. \*\*\* spent one-











### **Order**

The IDEA authorizes a hearing officer to order a local education agency to comply with procedural requirements. Therefore, pursuant to 34 C. F. R. §300.513(a)(3), Respondent, Lamar Consolidated Independent School District, is ORDERED to comply with the following:

1. No later than 10 school days from receipt of this Decision of Hearing Officer, Respondent shall convene an ARDC meeting to discuss and consider all eleven (11) elements tha

DOCKET NO. 050-SE-1014

STUDENT § BEFORE A SPECIAL EDUCATION  
b/n/f \*\*\* AND PARENT §  
§  
v. § HEARING OFFICER FOR THE  
§  
LAMAR CONSOLIDATED §  
INDEPENDENT §  
SCHOOL DISTRICT § STATE OF TEXAS

**SYNOPSIS TO DECISION OF HEARING OFFICER**

- ISSUE 1:** Whether District denied Student a free, appropriate, public education  
**HELD:** For Respondent  
**CITATION:** 34 C. F. R. §300.101; *Bd. of Educ. of Hendrick Hudson Sch. Dist. v. Rowley*, 458 U.S. 176 (1982); *Tatro v. State of Texas*, 703 F. 2d 832 (5<sup>th</sup> Cir. 1983), , 468 U.S. 883 (1984); *Schaffer v. Weast*, 126 S.Ct. 528 (2005).
- ISSUE 2:** Whether District failed to provide transportation as a related service for the current school year  
**HELD:** For Respondent; Student is not eligible for special transportation as a related service  
**CITATION:** 34 C. F. R. §300.34; *Tatro v. State of Texas*, 703 F. 2d 832 (5<sup>th</sup> Cir. 1983), , 468 U.S. 883 (1984); *Schaffer v. Weast*, 126 S.Ct. 528 (2005);
- ISSUE 3:** Whether District failed to properly consider and discuss all elements of the Autism Supplement, including a need for extended day programming  
**HELD:** For Petitioner  
**CITATION:** 34 C. F. R. §300.324; 34 C. F. R. §300.513(a)(2)(ii); 19 Tex. Admin. Code §89.1055(e).
- ISSUE 4:** entify the nature, frequency and extent of in-class support and who is to provide such services in the areas of reading, math, and English  
**HELD:** For Respondent  
**CITATION:** 34 C. F. R. §300.324; *Tatro v. State of Texas*, 703 F.2d 832 (5<sup>th</sup> Cir. 1983), , 468 U.S. 883 (1984); *Schaffer v. Weast*, 126 S.Ct. 528 (2005).