

This is a redacted version of the original hearing officer decision. Select details may have been removed from the decision to preserve anonymity of the student. The redactions do not affect the substance of the document.

PENNSYLVANIA
SPECIAL EDUCATION HEARING OFFICER

6682/05-06 KE
File Number

C.R.
Child's Name

Xx/xx/xx
Date of Birth

8/03/06
Date of Hearing

Closed
Type of Hearing

For the Student:

Mr. and Mrs.

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Date of Hearing: August 3, 2006
Date of Receipt of Transcript: August 10, 2006
Date of Decision: August 14, 2006
Hearing Officer: Daniel J. Myers

**For the Scotland School for Veterans
Children:**

Ronald Grandel, Superintendent
Scotland School for Veterans Children
3583 Scotland Road
Scotland, PA 17254-1200

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Background

Student is a xx year old, 7th grade resident of the [Redacted] School District. Last school year, Student attended 6th grade at the Scotland School for Veterans Children (“Scotland School” or “the School”), where it was determined that he has a specific learning disability. The School requested that Student’s parents withdraw him from the School and enroll him in the [Redacted] School District, where they reside, for receipt of necessary special education services. Student argues that the School is required to provide the special education services that he needs; the School contends that it is not. For the reasons described below, I find for the Student.

Issues

- Whether the Scotland School is required to ensure a free and appropriate public education to its students with disabilities?
- Whether the Scotland School denied a free and appropriate public education to the Student in this case?

Findings of Fact

1. Student, born xx/xx/xx, is a xx year old, 7th grade resident of the [Redacted] School District. (HO3, ¶1, ¶14; N.T. 70)¹
2. Around 1893, the Pennsylvania legislature created Scotland Soldiers’ Orphans Industrial School when it consolidated several smaller schools for approximately 200 orphaned children of Pennsylvania’s veterans of the United States Civil War. (N.T. 33-34) Around 1898-99, the school’s admission requirements were changed to include destitute (not necessarily orphaned) children of Pennsylvania veterans. (N.T. 34) The School includes a mandatory Reserve Officer Training Corps (ROTC) program for its high school students, and it maintains strong ties to veterans groups, which purchase supplies for students, award scholarships, sponsor parties, and visit the children. (N.T. 67-68)
3. The school’s mission is to motivate its students to develop life-long learning skills and to challenge them to achieve their full potential as citizens in a global society by providing a high quality educational environment within a safe, home-like, caring and nurturing residential community. (N.T. 34, 39-40; Student 20) In the early 1990s, the school’s academic focus changed from primarily vocational and trade school to college preparatory education. (N.T. 35) The School provides its students with three types of tutoring: faculty-provided remedial reading and writing assistance; college student tutoring in association with the local University; and peer tutors. (N.T. 78) The academic year consists of 180 school days, broken into six marking periods, with traditional breaks

¹ References to “HO,” “[Student],” and “S” are to the Hearing Officer, Student, and the School exhibits, respectively. References to “N.T.” are to the transcript of the hearing session conducted on August 3, 2006.

at Thanksgiving, Christmas/New year and Spring. (N.T. 46, 71) Last year, 100% of the School's 30 graduates went on to college. (N.T. 36)

4. The School is a state agency governed by a policy-making board of nine trustees appointed by the Governor. (N.T. 47, 89) Until July 1996, the School was housed administratively within the Pennsylvania Department of Education (PDE) and it was funded through the PDE budget. In July 1996, the School was transferred from PDE to the Department of Military and Veterans Affairs (DMVA.) (N.T. 35, 63, 66; S8; S9, p.48)
5. The School is located in [Redacted], PA, within the [Redacted] School District's geographical boundaries, in [Redacted] County. (N.T. 37) It has one main school building housing grades 3-12, a dining facility, an auditorium, an athletic field, two gymnasias, and 41 residential cottages. (N.T. 37-38) All school buildings have been made accessible in compliance with the requirements of the Americans with Disabilities Act. (N.T. 123) The School has several competitive sports teams for boys and girls. (N.T. 55)
6. The School is accredited by the Middle States Association of Colleges and Schools. (N.T. 76) It is operated by a properly certified principal and Director of Operations. (N.T. 121, 124-125) Its faculty consists of 40-45 teachers, all of whom are certified by PDE. (N.T. 42, 44) School faculty are state employees and members of the Pennsylvania State Employees Retirement system. (N.T. 43) None of its faculty is certified in special education. (N.T. 42, 44) The School contracts with the local Intermediate Unit 12 (IU 12) for any school psychologist services. (N.T. 45; S 9, p.31; HO3, ¶5)
7. Last year (2005-2006) the School served between 277 and 307 students, in grades 3-12. (S 8; N.T. 40-41) Twenty-two of the School's students, including Student, were in 6th grade. (N.T. 42) Although the School's student body comes from all over the state, 80% of its students are from Philadelphia. (N.T. 48, 50; S 1; S2; HO3, ¶3) All students live on campus, even those whose families live in the local area. (N.T. 46, 88-89) None of the students are adjudicated or involuntary placements. (N.T. 51) All enrollees are students, meaning that the School does not operate a separate residential facility for veterans' children who receive their educations elsewhere. (N.T. 121) The children of School faculty and staff who live on campus attend the local School District public schools. (N.T. 121) Parents, of course, can disenroll their children at any time. In addition, the School will discharge students for behavioral reasons or for failure to maintain academic requirements. (N.T. 106)
8. Students do not pay tuition. (N.T. 62) The School is funded through state funds that are tuition recovery transfers from its students' local school districts. The School also receives federal funds, including Title 1 funds for remedial instruction in writing and reading, school lunch and milk program funds, drug free schools funds, and federal educational enhancement funds for teacher quality and innovative education. (N.T. 65, 107, 110) The School is periodically audited by the state's Auditor General as well as by various program-specific auditors such as PDE's Food and Nutrition unit. (N.T. 75; Student 134; HO 3, ¶ 17)

9. To be eligible to attend the School, Students must be between 6 and 16 years old, in the 3rd grade or higher, be sponsored by an honorably discharged veteran from Pennsylvania, and have a parent or guardian who has been a resident of the Commonwealth for three years. (N.T. 52)
10. Enrollment applications are reviewed by an admissions committee comprised of Board of Trustees members, DMVA employees, and residential and teaching staff. (N.T. 53-54, 59) Admissions consideration includes a review of student progress reports from the student's previous teachers and counselors. (N.T. 59; S5;S6;S7)
- The admissions application states that the School does not have a program for children with severe learning disabilities or social problems. (N.T. 61)
 - The application specifically asks whether an applicant has ever received instructional support team (IST) services, been evaluated, or had an IEP. The purpose of this inquiry is to allow the admissions committee to determine whether the student can benefit from the School's existing programs and services staffing requirements and, if not, whether to recommend that the child seek educational services elsewhere. (N.T. 57-58, 93-94, 9-100)
 - Although a previous IEP is not a bar to admission, the Superintendent is not aware that the School has ever admitted a child with an IEP. (N.T. 58, 92, 97)
11. In January 2005, Student applied for admission to the School. (S3; S4; N.T. 55-57) Student's application indicated that he had never had an IEP, evaluation or even IST services. (N.T. 61; S3; S4; S5; S6; S7; Student 4 – Student 9)
12. On August 17, 2005, Student began attending 6th grade at the School. (69; HO3, ¶1, ¶2)
13. By the end of October 2005, School officials were concerned about Student's academic progress, and recommended a psychoeducational evaluation of Student. (Student 54-55)
14. Student's teacher had substantially adapted his instruction; he was struggling at a 5th grade math level, had difficulty spelling, reading and writing, and he was an auditory learner who did better when things were read to him. (S9, p.19) An informal reading inventory suggested that Student's reading levels in January 2006 were independent at 3rd grade level and instructional at 4th grade level. (S 9, p.30; Student 79)
15. On or about January 11, 2006, an IU 12 school psychologist issued an evaluation report (ER). (Student 68; 118; S9, p.17; HO3, ¶4, ¶6-¶8)
- His Wechsler Intelligence Scale for Children, 4th edition (WISC-IV) scores were:

Composite Index	Standard score	Percentile rank	Range
Perceptual Reasoning	77	6 th	Borderline
Processing Speed	83	12 th	Low Average
Working Memory	86	18 th	Low Average
Verbal Comprehension	96	39 th	Average

Composite Index	Standard score	Percentile rank	Range
Full scale IQ	82	12 th	Low Average

(S9, p.18; Student 57)

b. His Wechsler Individual Achievement Test, 2nd edition (WIAT-II) scores were:

Subtests	Standard score	Percentile rank
Written expression	68	2 nd
Reading comprehension	71	3 rd
Spelling	72	3 rd
Word Reading	73	4 th
Pseudoword decoding	77	6 th
Math reasoning	79	8 th
Numerical operations	84	14 th
Written Language Composite	66	1 st
Reading Composite	71	3 rd
Math Composite	80	9 th

(S9, p.18; Student 57)

- c. His achievement in reading and written language was found to be significantly discrepant from his overall cognitive ability. (S9, p.25; Student 64)
 - d. The ER concluded that Student has a specific learning disability in reading and writing, and the ER recommended systematic reading instruction, involving phonics, fluency and comprehension, as well as systematic writing instruction. (S 9, p.26; HO3, ¶9)
16. Student's parents received the ER in March 2006. (HO3, ¶10) On March 10, 2006, Student's parents, School staff, and the psychologist met via telephone conference to discuss the ER. (HO3, ¶11 - ¶13)
17. During the March 10, 2006 telephone conference call, School officials informed Student's parents that Student needed special education and that the School does not have a special education teacher or provide special education services. (HO3, ¶13) School officials requested that Student's parents withdraw Student from the School and enroll him in the [Redacted] School District in order to receive special education services. (HO3, ¶2)
18. No IEP was ever prepared by the School. (HO 3, ¶16)
19. Student left the School on March 15, 2006. (N.T. 72; S9, p.33; Student 84; Student 86; HO 3, ¶ 15)
20. On June 13, 2006, Student's parents requested a due process hearing, seeking permission to return to the School for the 2006-2007 school year, a multidisciplinary team meeting, an IEP, and compensatory education from January 11, 2006 to May 30, 2006. (N.T. 21).

On June 23, 2006, School officials informed Student's parents that the School is not an LEA required to provide a free appropriate public education. (S9, p.34)

21. I conducted an evidentiary hearing in this matter on August 3, 2006.

- a. In response to Student's objection to S9, pp. 38-40, the School conceded that those pages are not relevant to this case. (N.T. 128-129) The remainder of School exhibits S1-S9 were admitted without objection. (N.T. 130)
- b. In marking the School's exhibits, I miscounted at the hearing and came up with 170 pages of exhibits. Upon review, I find that there are only 169 pages of Student exhibits (Student 1 – Student 169.) I sustained the School's objections to Student's exhibits Student 10, Student 30 – Student 43, and Student 50-Student 51. I overruled the School's objections to Student 44-Student 49, and Student 56-Student 66. That leaves Student 1 – Student 9, Student 11- Student 29, Student 52-55, and Student 67 – Student 169 that were admitted into the record without objection. (N.T. 137)

Exhibits	Not admitted	Admitted over objection	Admitted without objection
S 1 – S 9, pp. 1-37			✓
S 9, pp. 38-40	✓		
S9, pp. 41-106			✓
Student 1 – Student 9			✓
Student 10	✓		
Student 11-Student 29			✓
Student 30-Student 43	✓		
Student 44-Student 49		✓	
Student 50-Student 51	✓		
Student 52-Student 55			✓
Student 56- Student 66		✓	
Student 67 – Student 169			✓

Discussion

The federal Individuals with Disabilities Education Improvement Act (IDEIA), 20 USC §1400-1487, provides federal grants to states, which then use the funding as part of their appropriations to assist local educational agencies in educating students with disabilities. Veschi v. Northwestern Lehigh School District, 772 A.2d 469 (Pa. Cmwlth.) appeal denied 567 Pa. 753, 788 A.2d 382 (2001) Recently-reissued federal regulations implementing the IDEIA are

applicable to all political subdivisions of the state that are involved in the education of children with disabilities, including:

- the state educational agency (SEA);
- local educational agencies (LEAs), educational service agencies (ESAs), and public charter schools that are not otherwise included as LEAs or ESAs and are not a school of an LEA or ESA;
- other State agencies and schools (such as Departments of Mental Health and Welfare and State schools for children with deafness or children with blindness); and
- State and local juvenile and adult correctional facilities.

34 CFR §300.2(b)

Those federal regulations further define an LEA as:

- “a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary schools or secondary schools;” 34 CFR §300.28(a)
- “any other public institution or agency having administrative control and direction over a public elementary school or secondary school;” 34 CFR §300.28(b)(1), referring to 34 CFR §300.12(b) and
- “any other public institution or agency having administrative control and direction of a public elementary school or secondary school, including a public nonprofit charter school that is established as an LEA under State law.” 34 CFR §300.28(b)(2)

State regulations implementing the IDEIA provide that, for purposes of interfacing with federal IDEIA regulations, the term “LEA” means (unless the context of the state regulation clearly indicates otherwise) “an intermediate unit, school district, State operated program or facility or other public organization providing educational services to children with disabilities or providing early intervention services.” 22 Pa. Code §14.103²

Section 504 of the Rehabilitation Act of 1973 is another federal statute designed to eliminate discrimination on the basis of handicap in any program or activity receiving federal financial

² The Commonwealth’s 2004 regulations incorporating applicable federal IDEIA regulations do not coincide with the recently-reissued and renumbered federal IDEIA regulations. 22 Pa. Code §14.102(a)(2) I note, however, that the Commonwealth’s 2004 regulations incorporated the old federal regulatory definitions of “educational service agency;” “local educational agency;” and “public agency.” 22 Pa. Code §14.102(a)(2)(iii) I further note that the recently-reissued and renumbered federal definitions of those terms have not changed with the exception that public charter schools that may serve as LEAs now are limited to “nonprofit” public charter schools. 34 CFR §300.28(b)(2)

assistance. 29 USC §794 In the field of education, Section 504 complements the IDEIA. While the IDEIA requires federally funded agencies to provide a free appropriate public education with special education and related services for eligible students, Section 504 prohibits such agencies from discriminating against students with disabilities. Lower Merion School District v. Doe, 878 A.2d 925 (2005)

Federal regulations implementing Section 504 require recipients of federal financial assistance that operate a public elementary or secondary education program or activity to provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap. 34 CFR §104.33(a) State regulations implementing Section 504 explicitly limit their scope to public school districts. 22 Pa. Code Chapter 15; L.W. and the Radnor Township School District, Special Education Opinion No. 1554 (2004)

For decades, only Pennsylvania's 501 local school districts bore the ultimate responsibility of guaranteeing the proper identification and programming of school-aged students with disabilities, even though many other public and private educational entities also existed and contributed in some way to this Commonwealth's complex and intricately woven scheme of education for school-aged children. 22 Pa. Code §14.102; See KM and the Bristol Township School District, Special Education Opinion No. 1311-B (2002); but see John T. v. Delaware Co. Intermediate Unit, 32 IDELR 142, 2000 WL 558582 (E.D. Pa. 2000) That system required that any local school district "in which there is located any orphan asylum, home for the friendless, children's home, or other institution for the care or training of orphans or other children" must provide an education, including special education to those "inmates." 24 P.S. §13-1306 In the 1990s, Pennsylvania created public charter schools and explicitly gave to students with disabilities a parallel system of public educational agencies that included, among other things, responsibility for guaranteeing the proper identification and programming of school-aged students with disabilities. 24 P.S. §17-1701A et seq; 22 Pa. Code Chapter 711

The dispute in this case arises because the Pennsylvania legislature has never explicitly indicated whether or not the School is intended to be included in, or exempted from, the group of public educational agencies that are responsible for the identification and programming of school aged students with disabilities. Much of the record developed by the parties in this case consists of circumstantial information, such as data reporting forms and agency guidelines suggesting, depending upon the form or guideline, either that the School is, or is not, considered by this Commonwealth to be the type of public educational agency that is responsible for guaranteeing the proper identification and programming of school-aged students with disabilities.³

The School argues that it is not a "public school" because it is operated not by an education agency, but by a military and veterans agency. (S9, p.84) The School further contends that it is "akin to a private school" because it is not open to all children in the Commonwealth, but only to

³ Although the issue in this case is primarily legal, and not factual, the parties have a right to request relief through due process and an expectation that the Hearing Officer sitting as a trier of fact will render a decision, which decision may then be appealed. M.B. and Upper Merion School District, Special Education Opinion No. 1198 (2001)

statutorily designated relatives of qualified veterans and because the pool of potential students is not geographically limited but may come from any of the 501 school districts. (S9, p.35, 99) The School further argues that responsibility in this case for Student's disability-related identification and educational programming rests either with Student's local school district in which his parents are residents, i.e., the [Redacted] School District, or with the local school district in which the School is located, i.e., the [local] School District (but the School is not sure which.) (S9, p.99-100; 24 P.S. §13-1306; 24 P.S. §25-2503; Student 103; BEC 34 CFR 300.403; BEC 24 P.S. §13-1306.2) Student, on the other hand, argues that the School is a public agency, funded with public funds, operated by public employees who are certified public educators, and therefore it is a "public school."

Neither party has cited to either a statute or a regulation explicitly stating whether the School is to be included in, or exempted from, the group of public educational agencies that are responsible for the identification and programming of school aged students with disabilities. State agency practice and bureaucratic folklore such as funding streams, reporting procedures and application questions are not controlling. See Borough of Falls Creek v. Washington Township, 114 Pa. Super. 380, 172 A. 634 (1934) (State Superintendent of Public Instruction cannot administratively expand the statutory number of high school classifications.) See M.B. and Upper Merion School District, Special Education Opinion No. 1198 (2001) (The fact that PDE makes a determination concerning a School District's responsibility toward a student under the McKinney Homeless Act does not preclude a simultaneous due process hearing officer's FAPE determination in accordance with the IDEA.) In this case, the circumstantial evidence regarding how the School has behaved in the past or is treated by various agencies lacks persuasive effect when the principles underlying those behaviors and practices are unclear and when they appear to point in opposite directions.

It is not clear to me how the state regulation at 2 Pa. Code §14.103, defining the term "LEA" for purposes of interfacing with federal IDEIA regulations intended to limit all of the agencies listed ("an intermediate unit, school district, State operated program or facility or other public organization.") Possibly, that regulation is referring to agencies that are providing educational services to children who are already known to have disabilities or to need early intervention services. Possibly, that state regulation is referring to all agencies providing educational services to children, some of whom (like Student) are subsequently discovered to have disabilities.

The federal regulations defining the scope of agencies subject to the IDEIA's requirements appear clearer, and I am persuaded by the inclusiveness of those federal regulations. They "are applicable to all political subdivisions of the state that are involved in the education of children with disabilities, including...State agencies and schools (such as Departments of Mental Health and Welfare and State schools for children with deafness or children with blindness." 34 CFR §300.2(b) (emphasis added) There is no reason why "DMVA" does not fit within the regulatory reference to "State agencies and schools including...such as Departments of Mental Health and Welfare." There also seems to be no reason why the School does not fit within the regulator reference to "State agencies and schools including... State schools for children with deafness or children with blindness." While the School obviously is not a school for deafness or children with blindness, it is a state school designed to serve a specific population, which appears to be the target of this regulation. Further, the federal regulation defining an LEA as "any other public

institution or agency having administrative control and direction over a public elementary school or secondary school” (34 CFR §300.28) also appears to apply to the School, which is “a public institution or agency” that exercises, through its properly certified principal and Director of Operations, administrative control and direction over its own elementary and secondary school. (N.T. 121, 124-125)

In the end, I believe that the federal and state requirements defining public education agencies and governing the affirmative responsibilities of those public education agencies toward children with disabilities, coupled with Pennsylvania’s statutory and regulatory silence on this issue, compels a conclusion that the School is one of those public educational agencies that is responsible for the identification and programming of school aged students with disabilities – at least until a state statute or regulation explicitly states otherwise.⁴

Having concluded that the School is responsible for ensuring FAPE to its students with disabilities, the next question in this case is whether the School, in fact, denied FAPE to this Student. The answer is yes.

Each public agency is required to conduct a full and individual evaluation to determine if a suspected eligible child is a child with a disability and to determine that child’s educational needs. 34 CFR §300.301(c)(2) The evaluation is the foundation for the IEP. K.B. and West Shore School District, Special Education Opinion No. 1300 (2002); M.C. and Wissahickon School District, Special Education Opinion No. 1731 (2006)

The evaluation report is used to generate an IEP for a child with a disability. 34 CFR §300.320 The appropriateness of the IEP is based on information known at the time it is drafted. Fuhrmann v. East Hanover Board of Education, 993 F.2d 1031 (3d Cir. 1993) While public agencies are not required to provide the optimal level of services, a program that confers only trivial or minimal benefit is not appropriate. Polk v. Central Susquehanna Intermediate Unit 16, 853 F.2d 171 (3d Cir. 1988), cert. denied, 488 U.S. 1030 (1989) The IEP must be likely to produce progress, not regression or trivial educational advancement. Board of Education v. Diamond, 808 F.2d 987 (3d Cir. 1986) The purpose of the IEP is not to provide the “absolute best education” or “potential maximizing education” for the child. The IEP must simply propose an appropriate education for the child. Susan N. v. Wilson School District, 70 F.3d 751 (3d Cir. 1995); In Re K.N. and Bethlehem Area School District, Special Education Opinion No. 1225 (2002) Failure to offer an IEP reasonably calculated to enable the child to receive meaningful educational benefit will be deemed a denial of FAPE. Rowley v. Hendrick Hudson Board of Education, 458 U.S. 176, 102 S. Ct. 3034 (1982)

In this case, the January 11, 2006, evaluation report concluded that Student has a specific learning disability in reading and writing, and recommended systematic reading instruction, involving phonics, fluency and comprehension, as well as systematic writing instruction. (Student 68; N.T. 118; S9, p.17; HO3, ¶4, ¶6-¶9) Yet, no IEP was ever prepared by the School. (HO 3, ¶16) Instead, Student was encouraged to withdraw from the School, enroll in his parents’

⁴ This is not to say that state lawmakers can, or cannot, explicitly exempt the School from the requirements of IDEIA and/or Section 504. That is simply not the issue in this case.

residential school district and, on June 23, 2006, the School informed Student's parents that the School is not an LEA required to provide a free appropriate public education. (S9, p.34; HO3, ¶14) This simply is not compliant with the federal requirements of a public education agency that is responsible for the appropriate evaluation and educational programming of one of its students with disabilities. Instead, School should have reviewed the ER with Student's parents and developed an appropriate IEP with them. The School was obligated to provide FAPE to Student, and it failed to do so in this case.

It is well settled that compensatory education is an appropriate remedy where a responsible public education agency knows, or should know, that a child's educational program is not appropriate or that he or she is receiving only trivial educational benefit, and the public education agency fails to remedy the problem. M.C. v. Central Regional School District, 81 F.3d 389 (3rd Cir. 1996). Such an award compensates the child for the period of time of deprivation of special education services, excluding the time reasonably required for a public education agency to correct the deficiency. Id.

In this case, the ER was developed on January 11, 2006. An IEP team meeting should have been convened by February 11, 2006. 34 CFR §300.343(b)(1999); 34CFR 300.323(c)(2006) Thus, the School denied FAPE to Student from February 11, 2006 to the end of the school year on May 30, 2006. After allowing the School a reasonable amount of time within which to correct its failure to provide FAPE to Student, I believe that an IEP should have been developed and implemented by March 12, 2006, which is a full two months after the January 11 ER, and a full month after an IEP should have been created. Thus, I conclude that Student is entitled to one hour of compensatory education services to make up for the FAPE denial for 54 school days between March 12 and May 30, 2006. Accordingly, I will order 54 hours of compensatory education, and I will order the School to convene an IEP team meeting to develop an IEP for Student.

CONCLUSION

State and federal law does not explicitly indicate whether or not the School is intended to be included in, or exempted from, the group of public educational agencies that are responsible for the identification and programming of school aged students with disabilities. Federal regulations defining public education agencies and governing the affirmative responsibilities of those public education agencies toward children with disabilities, however, coupled with State statutory and regulatory silence on this issue, compels me to conclude that the School is responsible for the identification and programming of school aged students with disabilities. Having concluded that the School was obligated to provide FAPE to Student, I also conclude that it failed to do so in this case. Accordingly, I will order 54 hours of compensatory education, and I will order the School to convene an IEP team meeting to develop an IEP for Student.

ORDER

- The School shall convene an IEP team within two weeks to develop an IEP for Student;
- The School shall provide to Student 54 hours of compensatory education.

Daniel J. Myers

Daniel J. Myers
Hearing Officer

August 14, 2006

Re: Due Process Hearing
File Number 6682/05-06 KE