

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

**Pennsylvania Special Education Due Process Hearing Officer
Final Decision and Order**

CLOSED HEARING

ODR No. 31786-25-26

Child's Name:

K.S.

Date of Birth:

[redacted]

Parents:

[redacted]

[redacted]

Local Education Agency:

Anville-Cleona School District
520 South White Oak Street
Anville, PA 17003

Counsel for the LEA:

Shawn Lochinger, Esquire
331 E. Butler Avenue
New Britain, PA 18901

Hearing Officer:

Cathy A. Skidmore, Esquire

Date of Decision:

11/15/2025

INTRODUCTION AND PROCEDURAL HISTORY

The student, K.S. (Student),¹ is a [redacted] student residing with the filing-party Parent and currently enrolled in the Annville-Cleona School District (District). Student has been identified as eligible for special education pursuant to the Individuals with Disabilities Education Act (IDEA)² with Autism, Emotional Disturbance, and Other Health Impaired. Accordingly, Student also has a disability entitling Student to protections under Section 504 of the Rehabilitation Act of 1973.³ At the time of the due process hearing, Student was to be provided with autistic support full time in an out-of-District placement pursuant to the last agreed placement by a neighboring school district.

In early September 2025, shortly after the family moved into the District, the custodial parent (Parent) filed a Due Process Complaint under the IDEA and Section 504, contending that the District was denying Student a free, appropriate public education. More specifically, she challenged the programming and placement for the current 2025-26 school year and, as remedies, sought relief to include an in-District placement, compensatory education, and a pendency determination. In response, the District denied all of the Parent's contentions and the relief demanded, asserting that Student was required by law to remain in the prior placement until it had an opportunity to conduct an evaluation and develop a new special education

¹ In the interest of confidentiality and privacy, Student's name, gender, and other potentially identifiable information are not used in the body of this decision. All personally identifiable information, including details appearing on the cover page of this decision, will be redacted prior to its posting on the website of the Office for Dispute Resolution in compliance with its obligation to make special education hearing officer decisions available to the public pursuant to 20 U.S.C. § 1415(h)(4)(A) and 34 C.F.R. § 300.513(d)(2).

² 20 U.S.C. §§ 1400-1482. The federal regulations implementing the IDEA are codified in 34 C.F.R. §§ 300.1 – 300.818. The applicable Pennsylvania regulations are set forth in 22 Pa. Code §§ 14.101 – 14.163 (Chapter 14).

³ 29 U.S.C. § 794. The federal regulations implementing Section 504 are codified in 34 C.F.R. §§ 104.1 – 104.61; the applicable Pennsylvania regulations are set forth in 22 Pa. Code §§ 15.1 – 15.11 (Chapter 15).

program. A pendency order maintained the out-of-District placement.⁴ The matter then proceeded to an efficient hearing for the presentation of witnesses and documentary evidence.

Following review of the record and for all of the reasons set forth below, the claims of the Parent must be denied as a matter of law.

ISSUES

1. Whether the District deprived Student of a free, appropriate public education in its proposal of programming for Student at the start of the 2025-26 school year; and
2. If the District did deny Student a free, appropriate public education, whether Student's special education program and placement should be revised?

FINDINGS OF FACT

1. Student is a [redacted]child residing with the Parent in the District. (N.T. 31.)
2. Student is eligible for special education and entitled to the protections of Section 504. Student also has diagnoses for a number of mental health conditions for which Student is provided therapeutic treatment. (P-8; S-3.)

⁴ Hearing Officer Exhibit (HO) 1. Other references herein are to the Notes of Testimony (N.T.), Parent Exhibits (P-) followed by the exhibit number, and School District Exhibits (S-) followed by the exhibit number. Citations to duplicative evidence are not necessarily exhaustive.

3. Student manifests difficulty with transitions in general but has been successful in transitioning between class periods at school. (N.T. 52, 56.)
4. Student was first identified as eligible for special education in early 2021 when Student was in an [redacted] elementary school grade. At that time, Student's cognitive ability was determined to be in the upper end of the low average range with weaknesses in Verbal Comprehension, Working Memory, and Processing Speed. Academic achievement at that time reflected average-range scores with the exceptions of sentence building and mathematics concepts and applications. (S-3 at 5-6.)
5. During the 2021-22 school year, Student began to exhibit off-task behavior and work refusal. (N.T. 34.)
6. During the following 2022-23 school year, Student began to and increasingly refused to participate in many regular education opportunities and to cooperate with others. Student also exhibited aggressive behavior toward adults, and began to attend the private nonresidential placement. (N.T. 34-35; S-3 at 21.)
7. During the 2023-24 school year, another RR was completed in January by the former district and the local Intermediate Unit (IU). At the time, Student was exhibiting school avoidance behavior with significant absences. Eligibility classifications were Autism, Emotional Disturbance, and Other Health Impairment based on a diagnosis of Attention Deficit Hyperactivity Disorder (ADHD). (N.T. 34-37; S-3 at 3, 21.)
8. A Functional Behavioral Assessment (FBA) conducted at the start of the 2024-25 school year revealed two behavior instances during a 16-day period, both following a demand or directive and leading to

Student's escape of the demand. The FBA results suggested a need for a Positive Behavior Support Plan (PBSP) but not an Attendance Improvement Plan. (S-3 at 11.)

9. The former District conducted a reevaluation of Student in October 2024 and a reevaluation report (RR) issued that month. This RR reflected that Student was determined to be eligible for special education under the Autism and Specific Learning Disability classifications. (S-3.)
10. The private placement utilizes a form of buddy system to pair students with peers. Student did not have a positive relationship with any of the few available peers assigned to that role. (N.T. 40-41.)
11. The former district conducted assessment of Student's cognitive ability for the October 2024 RR. Some scores required cautious interpretation because Student was "reluctant" to complete certain portions of the instrument. Student earned average-range scores in the Visual Spatial and Fluid Reasoning domains, and a Nonverbal Ability Index score in the low average range. The evaluator cautioned that the individual Index and subtest scores would yield better estimates of Student's abilities than the overall ability score. (S-3 at 15-17.)
12. In the area of academic achievement reported in the October 2024 RR, Student earned average-range scores (word reading, spelling, and essay composition); low average-range scores with reading comprehension, essay composition, and numerical operations; with an extremely low score in mathematics problem solving. (S-3 at 17-19.)
13. The former district also had a psychiatric evaluation conducted for the October 2024 RR. The psychiatrist reported on the history of Student's related diagnoses, treatments, and weekly outpatient

therapy. Student's diagnoses included Oppositional Defiant Disorder, unspecified Anxiety Disorder, and Social Phobia. Examination of mental status, during which Student would not verbalize but responded through gestures or with written answers, Student reported feelings of anxiety but overall hope for the future. (S-3 at 20-22.)

14. The psychiatrist for the October 2024 RR provided diagnoses of Generalized Anxiety Disorder, Selective Mutism, and Autism. Recommendations for school included the then-current private placement. (S-3 at 22-23.)
15. Recommendations of teachers in the October 2024 RR were for continuation of academic, behavioral, and social/emotional support. (S-3 at 12-13.)
16. The October 2024 RR reflected Student's strengths to include certain academic, behavioral, and fine motor skills including working well with peers and engaging in experiential learning activities; needs related to several areas of academic (writing, mathematics, and reading comprehension) skills; handwriting; and social/emotional/behavioral skills (coping/self-regulation skills, complying with directives, and behavioral presentation). Recommendations for programming related to occupational therapy, academic weaknesses, and a revised PBSP. Student remained eligible for special education under the Autism, Emotional Disturbance, and Other Health Impairment classifications. (S-3.)
17. An Individualized Education Program (IEP) developed following the October 2024 RR, as revised over the 2024-25 school year, noted strengths to include timely task completion, engagement in class lessons, self-advocacy, fine motor skills at school, and use of mathematics supports. Identified needs were in the areas of

communication, behavioral support, academic support, and occupational therapy. (S-4 at 1-15.)

18. Parental concerns for the October 2024 IEP related to Student's new selective mutism diagnosis; they were also proud of Student. (S-4 at 14.)
19. Annual goals in the former District's October 2024 IEP addressed fine motor (handwriting) skills and behavior (following directives and remaining on task). Program modifications and items of specially designed instruction included a PBSP, sensory and movement breaks, mathematics supports, English/Language Arts supports, social skills training and opportunities, problem solving opportunities, visual aids and timers, preparation for transitions and changes to routine, access to alternative settings within the educational environment, assignment and test accommodations, and a structured environment. Specialized transportation, occupational therapy, and parent counseling/training were provided as related services. Student was eligible for extended school year (ESY) services and Student's program was one of full-time Autistic Support in the private nonresidential placement. (S-4 at 25-34.)
20. Revisions over the 2024-25 school year addressed Student's decreased school attendance since the beginning of the 2024-25 school year with a modifications and revisions to support an increase in school attendance including a modified schedule; additional family supports; and additional parental concerns. (S-4 at 13-14.)
21. In April 2025, the former district issued a Notice of Recommended Educational Placement (NOREP) for continued full-time autistic support with a modified schedule at the private placement along with ESY services. Other options considered were documented to be a different

classroom at the private placement, transition back to the former district, and support for attendance, as well as ESY services. The Parent approved the NOREP that same date. (S-5.)

22. Sometime over the summer of 2025, the former district agreed to provide an Independent Educational Evaluation (IEE) that is not expected to be completed until December 2025. (N.T. 37-38; S-9 at 5.)
23. In mid-August 2025, following Student's enrollment, the District sought all special education information from the former district. (S-7.)
24. Also in mid-August 2025, the District made a referral of Student to an IU program for receipt of Student's records. (P-4; S-8.)
25. The District convened a meeting of Student's IEP team on August 28, 2025 to consider program and placement. The Parent did not attend despite communicating that she would do so. (S-10 at 4.)
26. The District issued a NOREP for Student in late August 2025, proposing to implement Student's IEP from the former district on the modified schedule; and refusing placement within its schools. Options considered were documented to include regular education with supports and services; return to the IU placement; and entry into a District school. (S-9; S-10 at 16-17.)
27. The District representatives did not believe that its own autistic support program would be appropriate for Student. (N.T. 70-71.)
28. From the start of the 2025-26 school year, Student was excited to return to school, but has refused to leave Student's room at home and attend the private placement. The District has provided specialized transportation for Student to school each school day. (N.T. 35-38, 41, 49, 82.)

29. An IEP meeting convened on October 3, 2025, which the Parent and Student attended. The team discussed a plan of gradual transition to a District school building beginning for one period each day, and the Parent, Student, and a District administrator toured the building and met some staff who would provide supports. (N.T. 74-78, 79-81.)
30. After the October 2025 IEP meeting, the District arranged for an intake meeting at the placement for comparable services, but that did not occur. (N.T. 76-77.)
31. The Parent toured a different private placement with Student for comparable services, but declined to transition Student there. They also toured a District school where a plan of would occur. (N.T. 36-40, 45-44, 71-72.)
32. Student would likely attend a District school building for a portion of the school day, but only if Student did not then transition to the private placement. (N.T. 52.)
33. The District school that Student would attend has approximately 110 students in Student's grade and approximately 700 in the 2-story building. There are a total of nine periods each school day. The District has a buddy system in that building with at least ten volunteer peers. (N.T. 87-88.)
34. At the time of the due process hearing, Student did not have any friends and had not met any same-age peers. (N.T. 40-42.)

DISCUSSION AND APPLICATION OF LAW

General Legal Principles

In any legal proceeding, the burden of proof is commonly described as consisting of two elements: the burden of production and the burden of persuasion. The burden of persuasion in this type of administrative hearing

lies with the party seeking relief. *Schaffer v. Weast*, 546 U.S. 49, 62 (2005); *L.E. v. Ramsey Board of Education*, 435 F.3d 384, 392 (3d Cir. 2006). The burden of persuasion in this case thus must rest with the Parent who filed the Complaint leading to this administrative proceeding. Nevertheless, application of this principle determines which party prevails only in those rare cases where the evidence is evenly balanced or in “equipoise.” *Schaffer, supra*, 546 U.S. at 58.

Special education hearing officers, who assume the role of fact-finders, are responsible for making “express, qualitative determinations regarding the relative credibility and persuasiveness of the witnesses,” particularly when discounting certain testimony. *Blount ex rel. Blount v. Lancaster-Lebanon Intermediate Unit*, 2003 WL 22988892 *10, 2003 LEXIS 21639 *28 (E.D. Pa. 2003). See also *J. P. v. County School Board*, 516 F.3d 254, 261 (4th Cir. Va. 2008); *T.E. v. Cumberland Valley School District*, 2014 WL 47340 *4, 2014 U.S. Dist. LEXIS 1471 *11-12 (M.D. Pa. 2014); *A.S. v. Office for Dispute Resolution (Quakertown Community School District)*, 88 A.3d 256, 266 (Pa. Commw. 2014).

The findings of fact were made as necessary to resolve the issues; thus, not all of the testimony and exhibits were explicitly cited. However, in reviewing the record, the testimony of all witnesses and the content of each admitted exhibit were thoroughly considered, as were the parties’ closing statements.

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General IDEA Principles

The IDEA broadly mandates that each of the states provide a “free appropriate public education” (FAPE) to children who are eligible for special education services. 20 U.S.C. § 1412. FAPE consists of both special education and related services as are necessary for the child. 20 U.S.C. § 1401(9); 34 C.F.R. § 300.17. Over forty years ago, in *Board of Education v. Rowley*, 458 U.S. 176 (1982), the U.S. Supreme Court addressed these statutory requirements, holding that FAPE obligations are met by providing personalized instruction and support services that are designed to permit the child to benefit educationally from the program, and also complying with the procedural obligations in the Act.

The various states, through local educational agencies (LEAs), meet the substantive obligation of providing FAPE through development and implementation of an IEP which is “‘reasonably calculated’ to enable the child to receive ‘meaningful educational benefits’ in light of the student’s ‘intellectual potential.’ ” *P.P. v. West Chester Area School District*, 585 F.3d 727, 729-30 (3d Cir. 2009) (citations omitted). An IEP is developed “only after careful consideration of the child’s present levels of achievement, disability, and potential for growth.” *Andrew F. v. Douglas County School District RE-1*, 500 U.S. 386, 399 (2017). In terms of substantive content, the IEP must be responsive to the child’s individual academic, functional, and developmental needs. 20 U.S.C. § 1414(d); 34 C.F.R. § 300.324. Individualization to the child is unquestionably the central consideration for purposes of the IDEA.

An LEA is not obligated, however, to “provide ‘the optimal level of services,’ or incorporate every program requested by the child's parents.” *Ridley School District v. M.R.*, 680 F.3d 260, 269 (3d Cir. 2012); *see also El Paso Independent School District v. Robert W.*, 898 F. Supp. 442, 449 (W.D. Tex. 1995) (quoting *Rowley, supra*, 458 U.S. at 186) (holding that an LEA “is

not required to maximize a handicapped child's potential `commensurate with the opportunity provided to other children.'").

A child's IEP is not a guarantee but, rather, "must aim to enable the child to make progress." *Dunn v. Downingtown Area School District*, 904 F.3d 248, 255 (3d Cir. 2018). The law mandates that a proper assessment of whether a proposed IEP meets all legal criteria must be grounded on the known information "as of the time it was made." *D.S. v. Bayonne Board of Education*, 602 F.3d 553, 564-65 (3d Cir. 2010); *Fuhrmann v. East Hanover Board of Education*, 993 F.2d 1031, 1040 (3d Cir. 1993). IEP development, of course, must follow and be based on an evaluation, and then be continuously monitored and updated by changes in the interim. 20 U.S.C. § 1414(d); 34 C.F.R. §§ 300.320-300.324.

Where, a student transfers into an LEA from another Pennsylvania District, the IDEA directs the special education programming for the new LEA.

Transfer within the same State

In the case of a child with a disability who transfers school districts within the same academic year, who enrolls in a new school, and who had an IEP that was in effect in the same State, the local educational agency shall provide such child with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents until such time as the local educational agency adopts the previously held IEP or develops, adopts, and implements a new IEP that is consistent with Federal and State law.

20 U.S.C. § 1414(d)(2)(C)(1).

The term “placement” in the context of special education can be complex and does not necessarily mean the location of services, a determination often left to the local educational agency (LEA). See *A.W. v. Fairfax County School Board*, 372 F.3d 674 (4th Cir. 2004) (construing the term “educational placement” in the IDEA to not include physical location); see also *R.B. v. Mastery Charter School*, 762 F. Supp. 2d 745, 763 (E. D. Pa. 2010) (acknowledging that LEAs generally have the discretion to determine the physical location of a student’s special education program). Similarly, alterations in location of services are sometimes necessary, as are modifications to programming, without amounting to a change in placement. In *DeLeon v. Susquehanna Community School District*, 747 F.2d 149, 153 (3d Cir. 1984), the Third Circuit Court of Appeals concluded that the issue of whether a variation to a child’s school day constitutes a change in placement must be focused on “whether the decision is likely to affect in some significant way the child’s learning experience.” See also *J.R. v. Mars Area School District*, 318 F. App’x 113 (3d Cir. 2009) (agreeing with District Court that change in location of services from resource room to inclusion classroom was not a change in placement).

More broadly, the IDEA requires each of the states to provide a “free appropriate public education” (FAPE) to children who are eligible for special education services. 20 U.S.C. § 1412; 34 C.F.R. § 300.101. Programs are developed by IEP teams based on a child’s needs, with placement determinations based on that IEP. 34 C.F.R. § 300.116. LEAs have some discretion in many instances regarding variations to services and where they are provided, as noted above, as long as the child’s program remains appropriate. Correspondingly, where an LEA proposes a different location for provision of the services in an IEP, that placement must be one that can implement that programming. See *D.M. v. New Jersey Department of Education*, 801 F.3d 205, 217 (3d Cir. 2015)(collecting cases).

General IDEA Principles: Least Restrictive Environment

The IDEA contains a central mandate that eligible students are to be educated in the “least restrictive environment” (LRE) that also satisfies meaningful educational benefit standards.

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

20 U.S.C.S. § 1412(a)(5)(A); *see also T.R. v. Kingwood Township Board of Education*, 205 F.3d 572, 578 (3d Cir. 2000); *Oberti v. Board of Education of Clementon School District*, 995 F.2d 1204, 1215 (3d Cir. 1993).

Along with IEP content, special education placement must be determined by the IEP team. 20 U.S.C. § 1414(e); 34 C.F.R. §§ 300.116(b), 300.501(b). The IDEA demands that LEAs have available a “continuum of alternative placements” in order to meet the educational and related service needs of its IDEA-eligible children. 34 C.F.R. § 300.115(a); 22 Pa. Code § 14.145. That “continuum” of placements in the law describes and enumerates settings beginning with regular education classes with supplementary aids and services, and growing progressively more restrictive moving first toward special classes and then toward special schools, instruction in the home, and instruction in hospitals and similar facilities. 34 C.F.R. § 300.115. An LEA need not, however, create such a placement in

order to provide the opportunity for the LRE as long as it considers the full continuum. *T.R., supra*, 205 F.3d at 579–80.

General IDEA Principles: Procedural FAPE

From an IDEA procedural standpoint, the child’s family including his or her parents must have “a significant role in the IEP process.” *Schaffer, supra*, 546 U.S. at 53. This fundamental concept extends to placement decisions for the child. 20 U.S.C. § 1414(e); 34 C.F.R. §§ 300.116(b), 300.501(b). Consistent with these principles, a denial of FAPE may be found to exist if there has been a significant impediment to meaningful decision-making by parents. 20 U.S.C. § 1415(f)(3)(E); 34 C.F.R. § 300.513(a)(2); *D.S. v. Bayonne, supra*, 602 F.3d at 565. The procedural requirements must, however, be viewed within the context of the above substantive standards.

General Section 504 Principles

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of a handicap or disability. 29 U.S.C. § 794. A person has a handicap if he or she “has a physical or mental impairment which substantially limits one or more major life activities,” or has a record of such impairment or is regarded as having such impairment. 34 C.F.R. § 104.3(j)(1). “Major life activities” include learning. 34 C.F.R. § 104.3(j)(2)(ii).

The obligation to provide FAPE has been considered to be substantively the same under Section 504. *Ridgewood v. Board of Education*, 172 F.3d 238, 253 (3d Cir. 1995). The two statutes (as well as the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12101 – 12213) do intersect but, as the Third Circuit has very recently observed, they are not the same. *LePape v. Lower Merion School District*, 103 F.4th 966, 978 (3d Cir. 2024). The IDEA itself notes that claims under Section 504 and the ADA are not limited by the

IDEA. 20 U.S.C. § 1415(l); *see also id.* The IDEA, thus, places no restrictions on ADA and Section 504 claims. *Le Pape, supra*, 103 F.4th at 979.

The Parent's Claims

The first issue is whether the District denied Student FAPE in its proposed program and placement for the 2025-26 school year. In short, the evidence is overwhelmingly in favor of the District in this case.

As discussed in the pendency ruling, Student's current program and placement is that set forth in the IEP and NOREP that Student had upon entry into the District, specifically placement in the identified private school; in the alternative, Student may be provided with comparable services. In this case, after receipt and review of available education records, the District adopted the existing, last-agreed upon IEP and also proposed one comparable service placement. This occurred after an IEP team meeting that the Parent declined to attend and involved consideration of other options, including that preferred by the Parent. A second meeting attended by the Parent and Student included input from the family and concerns with the proposal. The District arranged for tours of the applicable placements and an intake meeting, while also continuing to work with the Parent to identify other options. There are simply no educational deprivations either substantively or procedurally, and the District's processes in this case did not amount to predetermination but rather adherence to the law.

Having found no denial of FAPE under the IDEA, there need be no remedy including compensatory education. This hearing officer does, however, share the concerns of both parties that Student has not attended school for over a quarter of the school year. Accordingly, the District shall be ordered to promptly convene another IEP meeting to consider a variety of other options that should include home-schooling while the parties continue

to investigate comparable placements pending receipt of the former district's IEE.

Unlike FAPE under the IDEA, FAPE under Section 504 "is defined to require a comparison between the manner in which the needs of disabled and non-disabled children are met, and focuses on the 'design' of a child's educational program." *Mark H. v. Lemahieu*, 513 F.3d 922, 933 (9th Cir. 2008). Additionally, 34 C.F.R. § 104.33 "requires a comparison between the treatment of disabled and nondisabled children, rather than simply requiring a certain set level of services for each disabled child. ... [S]chool districts need only design education programs for disabled persons that are intended to meet their educational needs to the *same degree* that the needs of nondisabled students are met, not more." *Id.* at 936–37 (emphasis added).

The evidence does not establish that the District engaged in any discrimination against Student or either of the Parents based on Student's disability or any other grounds, or treated Student differently than its non-disabled children, or proposed a program that did not offer a program of the same degree of those for typical peers. There was no violation of Section 504.

Finally, by way of dicta, this hearing officer does understand and acknowledge that the District would undoubtedly strive to maintain its obligation to provide Student with FAPE and collaborate with the Parent; and the Parent is obviously just as willing to do so. The undersigned does strongly encourage the parties to continue their positive relationship and put this hearing behind them as they work to meet Student's needs and celebrate Student's strengths, progress, and success. The respect each party clearly has for the other is admirable in light of the current dispute, and they may wish to consider a facilitated IEP meeting this school year.

ORDER

AND NOW, this 15th day of November, 2025, in accordance with the foregoing findings of fact and conclusions of law, it is hereby **ORDERED** as follows.

1. The District did not deny Student FAPE in its programming proposed for the 2025-26 school year, and the Parent's claims are DENIED AND DISMISSED in their entirety.
2. The District is ordered to propose, within five (5) calendar days of the date of this order, at least three (3) dates for an IEP meeting to occur as soon as possible to consider a variety of options for educating Student pursuant to the IEP and to undertake investigation of all possible programs and placements with an aim to transition Student into the least restrictive environment.
3. Nothing in this Order should be read to prevent the parties from mutually agreeing to alter any of its terms.

It is **FURTHER ORDERED** that any claims not specifically addressed by this decision and order are DENIED and DISMISSED.

/s/ Cathy A. Skidmore

Cathy A. Skidmore, Esquire
HEARING OFFICER
ODR File No. 31786-2526

Sent to the parties this date as required by 34 C.F.R. § 300.515
by electronic mail message for those in attendance⁵ as requested at
the hearing consistent with 22 Pa. Code § 14.162(n).

⁵ Because the other Parent did not attend and provide a method of transmission, a copy shall be placed in the U.S. Mail this same date. accompanied by a copy of the email message sending this decision and accompanying documents.