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**ILLINOIS STATE BOARD OF EDUCATION
IMPARTIAL DUE PROCESS HEARING**

**SPECIAL EDUCATION
SERVICES**

[REDACTED])	
)	
Student)	
vs.)	Case No. 2008-52
)	
[REDACTED])	
)	
Local School District)	

CAROLYN ANN SMARON, Hearing Officer

**CLARIFICATION OF
DECISION AND ORDER**

On April 17, 2008 the hearing officer issued her Decision and Order which provided as follows:

- A. The school district failed to establish that at all times relevant it properly identified the nature and severity of this student's disabilities and that as a consequence the Individual Education Plans developed for the student's 1st and 2nd grade and proposed for the student's 3rd grade did not and would not provide the student with a free and appropriate public education at [REDACTED]
- B. The student is in need of intensive remediation as a result of the aforesaid failure.
- C. The program offered at the [REDACTED] is appropriate to serve the student's needs and will provide him with a meaningful education benefit because it is both the least restrictive viable option and because no other option is available.
- D. The school district is ordered to reimburse the mother of the student for all appropriate tuition and transportation costs associated with her unilateral placement at [REDACTED] from June 2007 to the present
- E. The school district is order to reimburse the mother for the tutoring provided by [REDACTED] and the cost of testing at Lindamood Bell. The hearing officer cannot order reimbursement for the expert witness fees due Dr. [REDACTED] but can order and does order the school district to reimburse the mother for the cost of Dr. [REDACTED] independent analysis of the school district data. No reimbursement is order for that portion of Dr. [REDACTED] testing in December 2007.

- F. The school district is ordered to place the student at [REDACTED] (including transportation) for the remainder of the 2007-2008 school including the extended school year as recommended by both the school district in the past and [REDACTED] on a prospective basis.
- G. [REDACTED] is the "stay-put" placement in this matter.
- H. As compensatory services for the failure to provide a free appropriate public education to the student during 1st and 2nd grade, the school district shall pay for two additional years at [REDACTED] including extended school for the 2008-2009 and 2009-2010 school years.

IT IS FURTHER ORDERED that the school district shall comply with the Decision and Order on or before May 17, 2008.

ISSUED this 17th day of April 2008.



CAROLYN ANN SMARON
Impartial Due Process Hearing Officer

CERTIFICATE AND AFFIDAVIT OF DELIVERY

The undersigned hereby certifies that a copy of the Decision and Order was mailed to the following parties, via certified mail:

Ms. [REDACTED]
Attorney at Law

[REDACTED]
Illinois [REDACTED]

[REDACTED]
Attorney at Law
[REDACTED]

Mr. Andrew Eulass
Due Process Coordinator
Illinois State Board of Education
100 North First Street
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on April 17, 2008.

CA Smaron

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