

Case Number: 2012-0489

[REDACTED] vs. [REDACTED]

Hearing Officer: Stacey Stutzman

Illinois State Board of Education  
Special Education Services  
100 North First Street  
Springfield, Illinois 62777

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## Impartial Due Process Hearing Decision Cover Page

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District Name [REDACTED] Phone: [REDACTED]  
Superintendent [REDACTED]  
Address [REDACTED]  
Represented by [REDACTED]

Parent Name [REDACTED] Phone: [REDACTED]  
Address [REDACTED]  
Represented by [REDACTED]

### Date and Timelines

Date of Written Request: 05/08/2012

Date of Hearing: 06/22/2012 to 06/22/2012

Date of Pre-hearing Conf: 06/08/2012

Date of Decision: 06/27/12

### Summary of Decision

Parent of 6 year old male of average intelligence, who recently completed first grade and who receives special education in the category of specific learning disability, pursuant to an initial evaluation conducted in Spring 2012, requested hearing on issues of whether District denied Student FAPE by failure to find Student eligible for ESY in summer 2012 and also for failure to provide paraprofessional support for Student in general education Science class in his IEP. District personnel, including the Student's Science teacher and Special Education teacher, testified credibly that the IEP team, with exception of Parent, determined that Student did not require either in order to receive FAPE. Both parties agreed that Student had made significant progress with the implementation of his current IEP. Parent's concern that because Student had made rapid progress with instruction from a special education teacher since implementation of his IEP in April 2012, he would regress without special education services over the summer, was not sufficient to support the contention that ESY was required in order for Student to receive FAPE. Parent's contention that references in Student's recently developed eligibility determination and IEP to his need for 1:1 attention in class to keep him on task required the provision of a dedicated paraprofessional/aide for him in his Science class was insufficient to support the contention that a paraprofessional in Science class was required in order for Student to receive FAPE in light of his ability to achieve average and above grades and the Science teacher's testimony that Student was able to benefit from Science class with the accommodations provided for in his IEP and that the 1:1 attention he sometimes needed was provided by her and that he did not require an aide in her class in order to receive meaningful educational benefit.

HELD: for District on both issues

ORDERED: That Parent's request for relief is denied.

ILLINOIS STATE BOARD OF EDUCATION  
SPECIAL EDUCATION DUE PROCESS HEARING

IN THE MATTER OF

[REDACTED]

v.

[REDACTED]

)  
) **ISBE CASE NO. 2012-0489**  
)  
) **Stacey Stutzman**  
) Impartial Due Process  
) Hearing Officer

**DECISION AND ORDER**

This matter is before the undersigned impartial hearing officer for a due process hearing concerning Parent's request for Orders that District provide Student with extended school year services in summer 2012 or educational services to compensate for the denial of extended school year services, and that District also provide Student with paraprofessional support in his general education Science class. The hearing officer has jurisdiction to hear and decide this matter under 105 ILCS 5/14-8.02a(g)(2010). The parties have been informed of their hearing rights under 23 ILAC 226.625(2007) and 34 CFR 300.512(2006). The undersigned hearing officer has also advised the parties that there are and have been no conflicts which prevent her from conducting a fair and impartial hearing and rendering a fair and impartial decision in this cause.

**Procedural History**

Student's Mother, who is not represented by an attorney, submitted her request for due process hearing, dated May 8, 2012, to District, which received the request on May 8, 2012. District forwarded the hearing request to the Illinois State Board of Education (hereinafter *ISBE*) on May 14, 2012. (See *District Request for an Impartial Due Process Hearing Officer*) District's counsel submitted a written response to the Parents' due process hearing request on May 18, 2012. *ISBE* assigned the matter to the undersigned hearing officer via its Special Education Database System (hereinafter *SEDS*) on May 15, 2012, and via UPS on May 16, 2012. The parties participated in state sponsored mediation in lieu of resolution session on May 23, 2012, and District counsel advised *ISBE* of the mediation via email on May 23, 2012.

Pre-Hearing Conference was held on June 8, 2012, the date designated by the *ISBE SEDS*, and a copy of the *Pre-Hearing Conference Report*, dated June 13, 2012, is incorporated into the record as Hearing Officer Exhibit A.

Hearing was convened as scheduled on June 22, 2012 at Student's school of attendance in the District. This Decision is being issued within 45 days of the initiation of the 45 day timeline and within 10 days of completion of the due process hearing.

In attendance at the hearing of this matter were Student and his Mother and Father and attorney for the District, [REDACTED]. The hearing was reported by [REDACTED].

Seven witnesses gave testimony at the one half day hearing. Student's **Mother** and [REDACTED] Student's Special Education Teacher, were called to testify on behalf of both Parent and District. In addition, District counsel called [REDACTED], Student's Science Teacher, [REDACTED], Student's Case Manager, and [REDACTED], the District School Psychologist who evaluated Student as part of his initial evaluation, to testify on District's behalf. Student's **Father** and **Student** testified on behalf of Parent only.

Parent did not submit any documents for use at hearing. She advised the IHO at the time of the hearing that any documents she wished to use were included in District's document submission. District counsel submitted 267 pages of documents for use at hearing. The documents used at hearing and admitted into evidence by stipulation of the parties or through witness testimony are listed in the Appendix attached to this Decision. Neither party cited legal precedent in their closing arguments or provided copies of law in support of their respective arguments at hearing. However, Parent did cite 23

ILAC 226.230(a)(9) and 226.750 in her Due Process Hearing Request, and she referred to a definition of "critical skills", without providing a citation in her request as well.

### Issues

1. Whether District violated Student's right to a free appropriate public education by its failure to find him eligible to receive extended school year services during the summer of 2012?
2. Whether District violated Student's right to a free appropriate public education in the least restrictive environment by failure to offer and provide him with a paraprofessional to assist him in his general education science class?

### Statement of Facts

The material facts relevant to the stated issues in this case are as follows: Student is a 6 year old Black male of average intelligence who recently completed first grade in a District elementary school. Education is very important in Student's household, and his Parents are actively involved in Student's education. Mother requested a full and individual evaluation of Student on January 31, 2012. The referral for evaluation was made and approved shortly thereafter, and Mother reviewed the assessment plan and signed consent for evaluation on February 9, 2012. (Father; Mother; [REDACTED]; [REDACTED]; 1-9) The evaluation was completed and Student was determined eligible for special education and related services in the category of Specific Learning Disabilities on April 23, 2012. ([REDACTED]; [REDACTED]; [REDACTED]; 11-14; 16-18; 20-22; 30-34; 40-52)

Student did not progress with the reading intervention provided to him pursuant to the Response to Intervention (RTI) process prior to his eligibility determination. ([REDACTED]; [REDACTED]; Mother) Cognitive assessment by the School Psychologist in Student's initial evaluation revealed Student's overall cognitive abilities, his verbal comprehension, working memory and processing speed abilities to be in the average range. His perceptual reasoning abilities were assessed in the low average range. Additionally, teacher responses on the BASC II behavioral scales indicated that Student often engaged in behaviors associated with ADHD, and Parent responses included items associated with Conduct Disorders and Oppositional Defiant Disorder. (R.H.; 11-14) However, Student has not been diagnosed with ADHD, his pediatrician has no concerns in regard to his behavior, and his medical history is not otherwise remarkable in reference to his current education. (Mother; 33) The psychological assessment results suggested a processing deficit in visual spatial abilities, possibly having impact on Student's ability to break words into parts, interpret graphs, charts, and maps, and perform multi-digit math operations. Student's academic performance was assessed by the School Psychologist and the Special Education Teacher and was determined to be deficient in the areas of basic reading skills and reading fluency and math calculation ([REDACTED]; [REDACTED]; 11-14, 43-45)

Subsequent to the original referral for initial evaluation, a referral for a speech and language assessment was made and approved at the request of Mother, a certified school counselor who also has an undergraduate degree in speech and language pathology. Mother consented to that assessment on April 18, 2012, and it was completed on May 21, 2012. Student's communication, including expressive and receptive language skills were found to be average to above average and no concerns requiring the intervention of a speech language pathologist were noted by the evaluating speech pathologist in the report of assessment. ([REDACTED]; 23-29, 94-98)<sup>1</sup>

Upon determination of Student's eligibility for special education and related services, an IEP was developed by Student's IEP team, including his parents, on April 23, 2012, and it was implemented within a day after its development. ([REDACTED]; [REDACTED]; 48, 50, 53-90) Student's IEP identified, inter alia, his learning disability in the areas of math and reading, and his difficulty completing his work independently in his general education classrooms, including his Science class. His need for verbal prompting and "one-on-one assistance" from a teacher or peer was noted, as was his tendency to be easily distracted and to

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<sup>1</sup> Although speech and language assessment was at issue according to Parent's hearing request, she advised at the time of the Pre-Hearing Conference in this matter that it was not an issue she wished to have addressed at hearing, and it was effectively withdrawn at that time.

experience difficulty in focusing. (57-60) Although the IEP team indicated that Student's behavior impeded his learning or that of others, the team did not conduct a functional behavioral assessment or develop a behavior intervention plan for Student. Rather, the IEP addressed Student's behavior with accommodations and goals and benchmarks. (62)<sup>2</sup>

Student's academic needs in the areas of math and language arts, per his evaluation, were addressed with goals and objectives implemented by the Special Education Teacher in a separate classroom for 900 minutes per week. This has included both 1:1 and small group reading instruction using peer reviewed research based methodologies, specifically *Orton-Gillingham*, which is multi-sensory, and *Jolly Phonics*, which is kinesthetic. (█████; 65-70, 73-81) Student has made significant gains with this instruction and rapid growth on his benchmarks since the implementation of his April 23 IEP. (█████; Mother; Father; 146-162; 204-229) Additionally, Student's confidence and self-esteem has improved. (Father)

A social emotional goal directed toward "keeping (his) body and brain in the group" was included in Student's IEP for implementation by the school social worker, with provision of 15 minutes per week of direct social work services in a separate classroom. (71-72, 81)

The IEP team determined that Student did not require paraprofessional support to allow him to make progress. (S.M.; 62) It further determined that there was no evidence of the likelihood of regression to necessitate extended school year services in order for Student to receive FAPE. (█████; 62, 86) The IEP team reconvened on May 7, 2012, at which time Parent asked for reconsideration of the least restrictive environment for Student, the provision of paraprofessional support in Science class, and extended school year services, and for discussion of the status of the pending speech assessment. The IEP was revised to include a peer buddy and a checklist for starting and completing his work in Science. (█████; 231-266) However, upon reconsideration of Parent's request for ESY, the team determined that Student is unlikely to experience significant regression over the summer break that cannot be recouped at the beginning of the Fall term, that he does not have any emerging critical life skills, such as toileting or feeding, that need to be addressed in ESY, and there are no other special circumstances necessitating ESY for Student. (S.M.; 263) Mother dissented, stating that Student had emerging phonics, language arts, and math skills and that he would benefit from ESY to address his IEP goals. (█████; Mother; 267)

Student's Special Education teacher, who has been teaching for 20 years, will document any regression that might occur over the summer when Student returns to school in the Fall. With the specialized instruction called for in his IEP, she anticipates that he will continue to make rapid progress when he returns to school after the break, and, in her experience, such students do not regress once given appropriate programming. In her opinion, the best thing for Student to do to maintain his skills over the summer is to read everyday. He does not require ESY in order to receive FAPE. (█████; 267) Student is reading everyday, playing, attending camp, and playing basketball this summer. (Student; Mother; Father)

At the May 7 IEP revision meeting, the team did agree to Parent's desire for Student to spend more time in general education classes beginning in the Fall term, and his specialized language arts and math instruction will be delivered in general education classroom in Grade 2 along with his instruction in the special education classroom. (S.M.; 261, 266)

On June 4, 2012, the IEP team met to review the speech/language assessment and determine whether it required eligibility for speech services, deciding that it did not. (█████; 99-100)

Pursuant to his IEP, Student receives his Science and Social Studies instruction in general education classrooms with accommodations and modifications. His Science teacher, who teaches Science for Kindergarten through Grade 3 at Student's school, gives Science instruction to Student and his 1<sup>st</sup> Grade classmates twice a week for 40 minutes each session. (█████; 81) Student's need to maintain focus and attention and to function independently has been addressed with a variety of strategies in his IEP, and his Science teacher has used the designated accommodations and modifications as necessary to enable Student to perform appropriately in her class. (█████; 61-63, 238-239) Student also receives accommodations and modifications when taking assessments, including assistance from the Special

<sup>2</sup> Parent has not complained of the lack of an FBA or BIP for Student and it is not at issue in this case.

Education teacher. (K.R.; 64) He has received above average grades, with the exception of a C on one assignment, and performed above standard level during the 4<sup>th</sup> quarter of the school year. He made an excellent oral presentation on his Science Fair Project. Student has shown progress in Science with his current IEP. He is very capable, makes a consistent effort, follows directions, listens, and completes his work independently in 40 minutes. He is able to quickly start his work and pick up speed. (█; 163-179, 230) Student does not require paraprofessional support to access the general education curriculum or to meet any of his educational needs in his general education Science class. (█; 62, 237)

### **Conclusions of Law**

At a due process hearing convened pursuant to the provisions of the Illinois School Code, it is incumbent upon the District to present evidence that, at all times relevant to the issues in the case, it properly evaluated and identified the student's needs and either provided or offered to provide him with a free appropriate public education in the least restrictive environment. *105 ILCS 5/14 8.02a (g-55)(2010)* District has done so here. The burden of persuasion, however, is on the party seeking relief. (█; *Weast*, 546 U.S. 49 (2005); *Kerry M. v. Manhattan School Dist. #114*, 46 IDELR 194 (N.D. Ill. 2006) In this case, Parent bears the burden of persuasion by a preponderance of evidence on both of the issues upon which she is seeking relief. It is concluded that Parent has failed to meet her burden.

A free appropriate public education, commonly referred to as *FAPE*, must be made available to disabled Illinois school children by their school districts in accordance with the *IDEA* and its attendant regulations. *20 USC 1400(2004)*; *23 ILAC 226.50(2007)*; *34 CFR 300.17, .101-.103(2006)* It is an education that is reasonably calculated to provide a disabled student with meaningful educational benefit, as based upon an individual education plan, or *IEP*, developed by an *IEP* team, including a student's parents. *Hendrick Hudson Dist. Bd. Of Ed. v. Rowley*, 458 U.S. 176 (1982)

The school district is required to follow procedures that are designed to allow the parent to participate in the development of the *IEP*. The applicable procedures are set forth in *34 CFR 300.300-.328(2006)* and *23 ILAC 226.110-.350(2007)*. Procedural violations alone, where they occur, cannot be deemed a denial of *FAPE* unless the evidence proves that the violations impeded the student's right to *FAPE*, the parent's right to participate in the decision making process, or caused the student to be deprived of an educational benefit. Otherwise, a hearing officer's determination of whether *FAPE* was received must be based on substantive grounds. *34 CFR 300.513(2006)* No procedural violations have been alleged in regard to Parent's stated issues, nor does the evidence reveal any procedural violations resulting in *FAPE* deprivation. Furthermore, as discussed hereafter, the District has not deprived Student of *FAPE* substantively by its determination that Student does not require extended school year services or a dedicated paraprofessional in his Science class in order to receive meaningful educational benefit.

### **Issue No. 1: The preponderance of the evidence does not support Parent's contention that District denied Student a free appropriate education by failing to find Student eligible to receive extended school year services in summer 2012.**

A disabled student's *IEP* must include a statement as to whether he needs services beyond the district's normal school year in order to receive *FAPE*, and, if he does, it must include a description of the services to be provided. *23 ILAC 226.230(a)(4)(2007)* *ESY* must be provided **only if** the child's *IEP* Team determines, on an individual basis, that *ESY* is **necessary** for the provision of *FAPE* to the child. *ESY* cannot be limited to particular categories of disability, nor can the services to be provided be limited in type, amount, or duration. *34 CFR 300.106(2006)*; *23 ILAC 226.750(2007)* The United States Department of Education has not specified any standards for the determination of whether an individual child must receive *ESY*, and the courts have acknowledged that *IEP* teams have flexibility in making the determination of each child's need for same. See, e.g., *Todd v. Duneland School Corp.*, 299 F.3d 899, 900-901(7<sup>th</sup> Cir. 2002) *IEP* teams may use the concepts of recoupment and the likelihood of regression or retention alone or with other standards so long as they use consistent individually oriented standards, in accordance with the *IDEA*. See *71 Fed. Reg. 46, 582(2006)*

The Illinois State Board of Education issued guidance to Illinois school districts, without the weight of regulations, prior to the re-authorization of the *IDEA* in 2004 and its 2006 regulations. Therein, it acknowledged that the determination of provision of ESY as necessary to provide the child with FAPE must be made by each individual child's IEP team. It reviewed existing case law from various jurisdictions, and suggested the consideration of a variety of factors to consider, including regression, defined as "the amount of loss during a scheduled break in instruction of a learned skill or acquired knowledge which has been specified in measurable annual goals and short-term objectives or benchmarks in the child's IEP", and the amount of time required to recoup those skills when school begins again. Other factors to be considered included the parents' ability to maintain the student's skills, whether the service is "extraordinary" to the child's condition, and his rate of progress, based on the information available to the team through the child's consecutive IEPs, progress reports regarding the effect of interruptions in the educational program, and observations and opinions of teachers, parents, and others, and the results of tests and assessments. Finally it suggested that the IEP team consider, inter alia, 1) any regression/recoupment data indicating that the child's loss of skills over breaks are "excessive" and require an "unacceptably long time" to re-teach the skills; 2) the student's rate of progress on existing IEP goals and any pattern therein indicating the need for ESY, i.e. whether his progress was at expected levels given the nature/severity of his disability; 3) anything significant about the nature and severity of the child's disability; and 4) any individual circumstances that make ESY critical to allow the child to learn or participate in school activities upon his return to school. *ISBE Communication on Extended School Year Services for Students with Disabilities (11/20/01)*

In this matter, Student's IEP includes the required statement that ESY is not necessary for Student to receive FAPE. According to the evidence at hearing, the IEP team considered the need for ESY for Student as it was required to do. As the Special Education teacher testified, it did not have regression/recoupment data available to it, since Student has been recently identified and provided with an IEP. The Student's special education teacher, who developed Student's IEP goals and objectives and presented them to the IEP team, testified credibly that, although there is no data available to assess whether Student might regress over the summer, since his IEP was just developed and implemented in April 2012, it is unlikely, based on her work with Student and her experience with others of average intelligence with a similar disability, that Student will regress significantly over the summer and be unable to recoup any loss of skills effectively upon his return to school in the Fall. She also testified credibly that other factors were considered, including Student's need to work on maintaining his newly acquired academic skills, but that the team, except for Parent, agreed that ESY was not required in order to provide Student with FAPE. The school psychologist, who was also a member of the Student's IEP team, agreed with the team's determination as well. Parents are clearly supportive of Student and have a strong desire to see him succeed. Nevertheless, Mother's fear that Student might lose some of his acquired skills over the summer break, in the face of the other evidence presented, does not provide sufficient evidence that the team's determination that ESY is not necessary to provide Student with FAPE constitutes a violation of Student's right to a free appropriate public education as alleged here.

**Issue No. 2: The preponderance of the evidence does not support Parent's contention that District denied Student a free appropriate education in the least restrictive environment by failing to provide him with paraprofessional support in his general education Science class.**

Each special education student is to be placed in the least restrictive environment in which he can receive a satisfactory education. To the maximum extent appropriate for the individual student, he is to be educated with his typical peers, and supplementary aids and services must be made available to assist him in his least restrictive placement. *20 U.S.C. 1412(a)(5)(2005); 105 ILCS 5/14-8.02(d)(2010); 34 CFR 300.42, 300.114(2006); 23 ILAC 226.240(2007)* And see *James and Lee Anne D. v. Aptakisik-Tripp*, 642 F.Supp.2d 804 (N.D. Ill. 2009).

Each student's IEP must include a statement of the special education, related services, supplementary aids and services, and any modifications and accommodations which are to be provided to him in order for him to receive meaningful educational benefit. 34 CFR 300.320(2006); 23 ILAC 226.230(2007) As in the determination of all special education and services pursuant to the IDEA, the query is whether the service being considered is **necessary** to provide the child with FAPE. 20 USC 1400(d)(2004); *Hendrick Hudson Dist. Bd. Of Ed. v. Rowley*, 458 U.S. 176 (1982) The educational benefit requiring the service may be academic or non-academic, as in improved social interaction and personal esteem. See, e.g. *Sacramento City Unified School District v. Holland*, 14 F.3d 1398(9<sup>th</sup> Cir. 1994)<sup>3</sup>

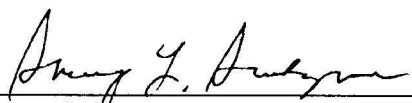
Student's individual needs were determined by his IEP team following his initial evaluation, and his IEP addresses his needs with various accommodations for his general education Science class, in addition to the goals and objectives written for math and language arts and social/emotional needs that are addressed outside of the general education classroom by the Special Education teacher and Social Worker. The parties agree that Student has made progress with the implementation of his IEP academically, and Student's Father testified that he has improved in his confidence and self esteem. His Science teacher testified that he has settled down in her class and that he was performing above standard level in the 4<sup>th</sup> quarter of the school year, including his excellent oral presentation of one of his experiments. Neither she, nor the Special Education teacher believe that Student requires paraprofessional support in order to receive meaningful educational benefit from general education Science instruction with the supports that are already in place for him. Additionally, Student was observed to sit with his parents, interact with adults, give testimony, and behave most appropriately, especially for a 6 year old boy, during this half day hearing.

Mother's testimony indicated her concern over a "C" grade that Student received on a Science assignment in June, 2012. However, Student, who is of average intelligence, has achieved average or above average grades in Science, and he is currently performing above standard level in his Science class consistently with the IEP that is in place. Therefore, the evidence does not support Parent's contention that Student's needs require the provision of paraprofessional support in his Science class in order for him to receive a satisfactory education in the least restrictive environment under the provisions of the IDEA.

**IT IS THEREFORE ORDERED:**

That Parent's request for relief is denied.

DATED: June 27, 2012

  
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Stacey L. Stutzman  
Impartial Hearing Officer

<sup>3</sup> Parent contends that Student requires a 1:1 or dedicated aide or paraprofessional in his general education Science class in order to receive an appropriate education, although she has cited no case law supporting her claim. This IHO's legal research revealed no legal precedent which would mandate paraprofessional support for a child similar to Student in general education classes, where the IEP team has addressed Student's needs with other instruction, accommodations, or services. Paraprofessionals have been required for students with more severe or multiple disabilities. A survey of administrative and judicial decisions relating to the provision of paraprofessionals in IDEA cases is found in Etscheidt, Susan, *Paraprofessional Services for Students with Disabilities: A Legal Analysis of Issues*, Research & Practice for Persons with Severe Disabilities, 2005, vol. 30, No. 2, 60-80.

**APPENDIX TO DECISION AND ORDER**

**Hearing Documents**  
**ISBE Case No. 2012-0489**

1	Request for FIE dated 1/31/12
2	Case Manager's Notes of telephone conference dated 2/6/12
3 - 5	Student Referral dated 2/7/12
6 - 9	Consent for Evaluation and Assessment plan dated 2/7/12 through 2/9/12
11 -14	Report of Psychological Evaluation dated 4/19/12
16 -18	Social Work Evaluation dated 4/9/12
20 -22	Occupational Therapy Evaluation dated 4/10/12
23 -26	Consent for Evaluation of Communication Status and Assessment Plan dated 4/18/12
27 -29	Student Referral dated 4/18/12
30 -31	Learning Environment Screening dated 4/19/12
32 -34	School Nurse Assessment dated 4/23/12
40 -52	Eligibility IEP dated 4/23/12
53 -90	Initial IEP dated 4/23/12
94 -98	Speech-Language Assessment dated 5/21/12
99 -106	Eligibility IEP dated 6/4/12
146-179	Student Work Samples
204-229	Informal Assessments dated 12/6/11 through 6/6/12
230	Science Standards Grades dated 5/18/12 through 6/8/12
231-266	IEP Revision dated 5/7/12
267	IEP Dissenting Opinion dated 5/7/12

### **RIGHT TO REQUEST CLARIFICATION**

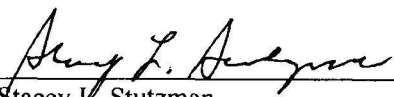
Either party may request clarification of this decision by submitting a written request for such clarification to the undersigned hearing officer within five (5) days of receipt of this decision. The request for clarification shall specify the portions of the decision for which clarification is sought, and a copy of the request shall be mailed to the other party and to the Illinois State Board of Education. The right to request such a clarification does not permit a party to request reconsideration of the decision itself, and the hearing officer is not authorized to entertain a request for reconsideration.

### **RIGHT TO FILE A CIVIL ACTION**

This decision shall be binding upon the parties unless a civil action is commenced. Any party to this hearing aggrieved by this final decision has the right to commence a civil action with respect to the issues presented in the hearing. Pursuant to ILCS 5/14-8.02a(i), that civil action shall be brought in any court of competent jurisdiction within 120 days after a copy of the decision of the impartial due process hearing officer is mailed to the parties.

### **CERTIFICATE OF SERVICE**

The undersigned due process hearing officer certifies that she uploaded this Decision and Order onto the ISBE SEDS on June 27, 2012, and served copies of the aforesaid Decision and Order upon Parents, District counsel, and the Illinois State Board of Education at their respective addresses by depositing same with the United States Postal Service at Libertyville, IL, certified mail postage prepaid, on June 27, 2012 before 5:00 p.m.

  
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Stacey L. Stutzman  
Impartial Hearing Officer