



WEBINAR FOR N.Y. IMPARTIAL HEARING OFFICERS (IHOS)

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Overview

- purposes of the document
 - reference
 - concepts/trends
- scope and organization
 - published decisions, 1995-2011
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Identification Case Trends

- e.g., prong 1 – ED
- e.g., prong 2 – adverse effect and educational performance
- yet to come – RTI cases for SLD



FAPE, LRE and Related Services Case Trends

- e.g., largely FAPE cases
- e.g., *Rowley* two-pronged test
- e.g., overlap with tuition reimbursement category
- e.g., predominance of autism cases



FAPE, LRE and Related Services Case Trends (Cont.)

- e.g., *Oberti* two-step, multi-factored test for LRE
- e.g., state law for related services to private school students



Discipline and Attorneys' Fees Case Trends

- e.g., PINS intersection
- e.g., effect of *Buckhannon*
- e.g., effect of *Arlington Central*



Remedies Case Trends

- e.g., tuition reimbursement > compensatory education > money damages
- e.g., tuition reimbursement: role of equities, LRE, and progress



Remedies Case Trends (Cont.)

- e.g., compensatory education:
gross denial standard?
- e.g., no IHO money damages



Other, IDEA-Related Issues and Section 504

- e.g., other IDEA-related issues:
child find, noncustodial parents
- e.g., Section 504: lack of jurisdiction
for IDEA IHOs in N.Y.