

1                                   **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

2  
3 [REDACTED], a Student, by and through Parents  
4 [REDACTED]

**No. 22C-DP-032-ADE**

5                   PETITIONERS,

**ADMINISTRATIVE LAW JUDGE  
DECISION**

6 v.

7  
8 Tanque Verde Unified School District

9                   RESPONDENT.

10  
11           **HEARING:** February 6, 2023, February 7, 2023, February 8, 2023, and February  
12 9, 2023, followed by extended post-hearing legal memoranda submission and extended  
13 review.

14           **APPEARANCES:** Hope N. Kirsch, Esq., appeared on behalf of Petitioners [REDACTED], a  
15 Student, by and through Parents [REDACTED] Lisa Anne Smith, Esq., and Clayton R.  
16 Kramer, Esq., appeared on behalf of Respondent Tanque Verde Unified School District.

17           **WITNESSES:**<sup>1</sup>

- 18           • Parent [REDACTED] (**Mother**);
- 19           • Parent [REDACTED] (**Father**) (collectively **Parents**);
- 20           • [REDACTED] Respondent's Special Education Director (Ms. Hodge);
- 21           • Gail Curran, Educational Consultant, Optimal EduOptions;
- 22           • [REDACTED] Educational Advocate (Mr. Jefferson);
- 23           • [REDACTED] Academic Director, LiveStrong House (Ms. Prusse);
- 24           • [REDACTED] Therapist, LiveStrong House;
- 25           • [REDACTED] Counselor / School Psychologist;
- 26           • [REDACTED] Special Education Teacher (Ms. Nielsen);
- 27           • [REDACTED] Ed.S., Lead School Psychologist for Respondent (Ms. Olivas);
- 28           • [REDACTED] Ph.D., Psychologist (Dr. Sammons).

29  
30  
1 Throughout the body of this Decision, proper names of Student, Parents, and Student's teachers are not  
used in order to protect the confidentiality of Student and to promote ease of redaction. Where necessary,  
pseudonyms (designated here in bold typeface) will be used instead. Pseudonyms are not used for  
administrators, service providers, evaluators, and other professionals.

1        **HEARING RECORD:** Certified Court Reporter Richael M. Silvia recorded the  
2        proceedings as the official record of the hearing.<sup>2</sup>

3        **ADMINISTRATIVE LAW JUDGE:** Velva Moses-Thompson  
4

5        Parents brought this due process action on behalf of Student, claiming that  
6        Respondent violated the Individuals with Disabilities Education Act (IDEA), alleging  
7        procedural and substantive errors. The law governing these proceedings is the IDEA  
8        found at 20 United States Code (U.S.C.) §§ 1400-1482 (as re-authorized and amended  
9        in 2004),<sup>3</sup> and its implementing regulations, 34 Code of Federal Regulations (C.F.R.) Part  
10       300, as well as the Arizona Special Education statutes, Arizona Revised Statutes  
11       (A.R.S.) §§ 15-761 through 15-774, and implementing rules, Arizona Administrative Code  
12       (A.A.C.) R7-2-401 through R7-2-406.

### 13        **PROCEDURAL HISTORY**

14       The due process complaint notice (Complaint) in this matter was filed with the  
15       Arizona Department of Education (Department) on June 20, 2022. After continuances, a  
16       due process hearing was conducted on February 6, 2023, February 7, 2023, February 8,  
17       2023, and February 9, 2023.

18       In the instant case, the parties agreed to submit post-hearing briefs.<sup>4</sup> The parties  
19       requested extensions to the deadlines to submit such post-hearing briefs and agreed to  
20       extend the 45-day timeline for issuing the Tribunal's decision.

### 21        ***Evidence, Exhibits, and Issues for Hearing***

22  
23

---

24       <sup>2</sup> Transcripts of the testimony have been added to the record. The transcripts are the official record of the  
25       hearing. However, by statute, the Tribunal is required to make an audio recording. The Tribunal received  
26       the entire transcript after the final hearing session. The Tribunal does not begin its review process with the  
27       use of a transcript until the hearing sessions are complete and the post-hearing submissions are complete  
28       for the reason that parties often stipulate, concede, and/or withdraw issues that, therefore, would not be  
29       considered or addressed in a final decision.

30       <sup>3</sup> By Public Law 108-446, known as the "Individuals with Disabilities Education Improvement Act of 2004,"  
IDEA 2004 became effective on July 1, 2005.

<sup>4</sup> Each re-calendaring within the hearing process, each additional day of hearing sessions, and each  
extension of the matter caused the hearing record review time to be adjusted, increased and re-calendared  
due to the Tribunal's existing calendar.

1 The parties presented testimony, exhibits, and some argument at the formal  
2 evidentiary hearing sessions that convened over the course of four days.

3 The parties provided pre-marked joint Exhibits A through G. Petitioners had pre-  
4 marked Exhibits P1 through P8. Respondent had pre-marked Exhibits R1 through R3.

5 Through the Complaint, Petitioners raised the following issues for a due process  
6 hearing:

- 7 1. Whether the August 2020 Individualized Education Program (IEP) provided  
8 Student a free appropriate public education (FAPE)?
- 9 2. Whether the May 2021 IEP offered Student a FAPE?
- 10 3. Whether Respondent predetermined placement beginning with the IEP  
11 meeting on November 29, 2021, and continuing thereafter?
- 12 4. Whether the IEP created in January 2022 offered Student a FAPE?
- 13 5. Whether LiveStrong was appropriate for Student?

#### 14 ***Requested Remedies***

15 As remedies, Parents requested:

- 16 1. For Respondent to reimburse Parents for tuition, transportation and other  
17 related expenses they have incurred for Student attending LiveStrong House;
- 18 2. For Student to remain at LiveStrong House at Respondent's expense until the  
19 earlier of Student earning all credits required for graduation or the IEP Team  
20 convening to determine that another location or placement is appropriate for  
21 Student to receive a FAPE;<sup>5</sup>
- 22 3. Awarding attorneys' fees and expenses, including costs and expert fees,  
23 incurred by Petitioners for violations and in connection with the Due Process  
24 proceedings, hearing, and any appeals, or deferring to the jurisdiction of  
25 Respondent Court for deciding such fees, costs, and expenses; and
- 26 4. For such other and further relief as the Tribunal deems just and proper.

---

27  
28  
29 <sup>5</sup> After the filing of the Complaint and prior to the hearing in this matter, Student earned all credits required  
30 for graduation and received a diploma.

1 The Administrative Law Judge has considered the entire hearing record including  
2 the testimony and the admitted exhibits,<sup>6</sup> and now makes the following Findings of Fact,  
3 Conclusions of Law, and Decision finding that Petitioners have failed to demonstrate that  
4 Respondent violated the IDEA through the allegations set forth in the Complaint.

### 5 **FINDINGS OF FACT**

6 1. During the 2018-2019 school year, Student was a [REDACTED] student  
7 enrolled in Respondent.

8 2. On or about October 25, 2018, Respondent convened a Multidisciplinary  
9 Evaluation Team (MET) review and determined that Student was eligible for special  
10 education services.<sup>7</sup> The MET report included evaluation information that provided, in  
11 relevant part, as follows:<sup>8</sup>

12 [Student]'s emotional and learning disabilities adversely impact his access  
13 to the general education environment without the provision of continued  
14 supports.

15 Difficulties with anxiety hamper [Student]'s availability for instruction that  
16 would typically be expected of his peers, even in an online course setting.

17 This lack of availability potentially has a harmful effect on [Student]'s ability  
18 to maintain and demonstrate important learning concepts. Specialized  
19 instruction is needed for the continued development of positive coping  
20 strategies and reading skills.

#### 21 **Areas of Eligibility:**

22 **Special Education Primary Category:** [REDACTED]

23 **Special Education Eligibility Category #2:** [REDACTED]

24 **For students with [REDACTED], the following area(s) of eligibility was  
25 previously determined:**

26 Reading Comprehension

27 <sup>6</sup> The Administrative Law Judge has read and considered each page of each admitted Exhibit, even if not  
28 mentioned in this Decision. The Administrative Law Judge has also considered the testimony of every  
29 witness, even if the witness is not specifically mentioned in this Decision. The review of the hearing record  
30 in relation to the only appropriate due process complaint notice, the documentation, the testimony.

<sup>7</sup> Exhibit A at 158

<sup>8</sup> *Id.*

1           3.     After the completion of the 2018-2019 school year, Student disenrolled from  
2 Respondent and enrolled in Primavera, an on-line charter school.

3           4.     Student attended Primavera during the 2019-2020 school year.

4           5.     At Primavera, Student received accommodations and special education  
5 services under an IEP developed during an IEP meeting on August 30, 2019.<sup>9</sup> Primavera  
6 conducted a complete evaluation of Student prior to August 30, 2019 and found that he  
7 was eligible for special education and related services.<sup>10</sup> Student's primary eligibility  
8 category was [REDACTED] and his secondary eligibility category was  
9 [REDACTED]<sup>11</sup>

10           6.     At Primavera, Student's IEP included a language arts goal to increase his  
11 reading comprehension and a social emotional goal to reach out to his case manager  
12 three times per quarter.<sup>12</sup> Student also received three accommodations that provided for  
13 (1) testing in a small group environment, (2) extended time to turn in assignments, and  
14 (3) the removal of sequence control in his online classroom.<sup>13</sup> Additionally, Student  
15 received 60 minutes of special education services per week, with 30 minutes of instruction  
16 in behavior support and 30 minutes of instruction in reading comprehension.<sup>14</sup> While  
17 receiving the accommodations and services provided for in the Primavera IEP, Student  
18 successfully completed all of the credits he attempted, and he received As, Bs, and Cs in  
19 all of his classes.<sup>15</sup> Student also made progress towards both of his goals during the 2019-  
20 2020 school year, even though he did not meet them.<sup>16</sup>

21           7.     After the completion of the 2019-2020 school year, Student disenrolled at  
22 Primavera and enrolled in Respondent.

23  
24  
25 \_\_\_\_\_  
26 <sup>9</sup> Exhibit A at 105-20.

27 <sup>10</sup> Transcript 2/9/23 at pgs. 14:10-16:18; and Exhibit A at 132.

28 <sup>11</sup> Exhibit A at 105.

29 <sup>12</sup> Exhibit A at 111-12.

30 <sup>13</sup> Exhibit A at 113.

<sup>14</sup> Exhibit A at 118.

<sup>15</sup> Exhibit A at 220.

<sup>16</sup> Exhibit A at 107 and 111-12.

1 8. On August 24, 2020, Respondent convened a meeting to review and revise  
2 Student's IEP.<sup>17</sup> The August 2020 IEP acknowledged that:<sup>18</sup>

### 3 **Section 4: Functional Performance**

#### 4 **Social Emotional and Behavior:**

5 While [Student]'s behavior did not impact online learning in the past, he is  
6 currently struggling with the current online format which requires more  
7 interaction with teachers and classmates. He is also struggling with keeping  
8 up with due dates. Behavior does significantly and adversely impact the  
9 progress in the general curriculum.

10 [Student] does not have a camera on his computer and keeps his  
11 microphone off due to social anxiety.

12 [Student] needs to make sure the teacher has a way to assess participation,  
13 chat, nod, hand up extension.

14 Remote/online learning has been utilized in the past to allow [Student] to  
15 access the general curriculum.

16 There have been no discipline referrals; however, teachers are concerned  
17 with [Student]'s lack of participation in class meets as well as his reluctance  
18 to follow the class calendar and turn in assignment by their due dates.

#### 19 **Physical Development:**

20 [Student]'s physical development is age expected; however, his social  
21 anxiety may prevent him from attending/participating in his classes.

#### 22 **Present level of Academic Achievement**

##### 23 **READING**

24 [Student]'s grades of [REDACTED] in his online English 9 and 10 classes  
25 indicate average reading skills. In the past, [Student] has struggled with  
26 comprehension. [Student] needs to work on comprehension of informational  
27 text. See accommodation page.

##### 28 **WRITING**

---

29 <sup>17</sup> Exhibit A at 148.

30 <sup>18</sup> Exhibit A at 158.

1 Based on prior English and History classes, [Student]'s writing skills are  
2 grade level appropriate. [Student] has no special education needs in this  
3 area. See accommodation page.

#### 4 **MATH**

5 Based on grades in former online classes, Algebra 1 and Geometry,  
6 [Student] has average Math skills. [Student] has no special education needs  
7 in this area. See accommodation page.

#### 8 **Parent/Adult Student's Input on Student's Current Academic 9 Achievement:**

10 [Student] and his mother attended the meeting. Mother agrees that Math is  
11 one of [Student]'s strongest subjects. He may need more help with writing  
12 and reading assignments. Science and History are also a strength.

#### 12 **Current Classroom – Based Data**

13 . . . .  
14 [REDACTED] (LongTerm Sub) . . . .

15 Written Language: He is writing me emails when his assignments are late  
16 and is trying to complete them. This is showing me that he cares and he is  
17 trying. I am very pleased he is emailing me.

18 Mathematics: \*I have not worked with him in Math, Social and Emotional:  
19 friendships; interactions; mood \*He does not have a camera, so I have not  
20 been able to see him. He doesn't like to unmute his microphone, and would  
21 rather put comments in the chat. . . .

22 9. Based on Student's success at Primavera, Respondent drafted an IEP that  
23 was substantially similar to Student's prior IEP.<sup>19</sup> Mother attended the August 24, 2020  
24 IEP meeting, and, at that time, she did not report any new concerns with Student's  
25 educational progress.<sup>20</sup>

26 10. Mother did not express any concerns with Respondent's proposal to  
27 continue providing Student with substantially the same accommodations he had been  
28 receiving at Primavera.<sup>21</sup>

29 <sup>19</sup> Transcript 2/8/23 at 86:6-92:12; compare Exhibit A at 105-20, with Exhibit A at 156-73.

30 <sup>20</sup> Transcript 2/8/23 at 89:3-9.

<sup>21</sup> Transcript 2/8/23 at 89:10-16.

11. Specifically, Respondent's August 2020 IEP continued the same eligibility categories and included similar goals.<sup>22</sup> The only significant change in Student's goals was to increase the frequency that he reached out to his case manager; the revised goal being for Student to contact his case manager one time per week, instead of once a month.<sup>23</sup> The August 2020 IEP also provided similar accommodations, calling for (1) Student to be placed with students he knew during small group work, (2) testing in a small group environment, and (3) up to three days of extended time to turn in assignment.<sup>24</sup>

12. The IEP team also considered related services but determined that they were not necessary to provide special education.<sup>25</sup>

13. The Post-Secondary Plan in the August 2020 IEP included almost verbatim the Post-Secondary Plan in the August 2019 IEP; both noted Student wanted to be an engineer, although the August 2019 IEP was more detailed as it provided for Student to "apply for internships at local engineering firms" whereas the August 2020 IEP simply stated Student "will find employment as an engineer."<sup>26</sup> Both IEPs stated that to assist Student in meeting post-secondary goals, he would "Graduate from High School; Enroll in classes of interest; Develop a 4 year plan/involve counselor; Register, prepare for/take SAT or ACT; Explore entrance requirements for postsecondary education/training."<sup>27</sup>

#### **2020-2021 School Year**

14. At the beginning of the 2020-2021 school year, all students within Respondent attended school online due to the COVID-19 pandemic.<sup>28</sup> Shortly after the beginning of the 2020-2021 school year, Student began to struggle with synchronous online learning, and he would not turn on his camera or his microphone.<sup>29</sup> Initially, Mother

---

<sup>22</sup> Exhibit A at 156 and 162-63.

<sup>23</sup> Exhibit A at 163.

<sup>24</sup> Exhibit A at 164.

<sup>25</sup> Exhibit A at 169.

<sup>26</sup> Exhibit A at 115 and 166.

<sup>27</sup> Exhibit A at 116 and 167.

<sup>28</sup> A hybrid option eventually became available to students during the 2020-2021 school year; however, Student continued to attend school strictly online, against the advice of his psychiatrist. Transcript 2/8/23 at 14:20-19:9.

<sup>29</sup> Transcript 2/8/23 at 93:17-94:4.



1 reported Student was having difficulty sleeping, which made it difficult for him to log on to  
2 classes.<sup>30</sup>

3 15. In response, Respondent, Student, and Parents brainstormed ideas to allow  
4 Student to be successful, including allowing Student to attend class without turning on his  
5 camera, allowing Student to participate in online classes through the chat function, and  
6 creating special online meeting rooms so that Student could be in an environment apart  
7 from his peers.<sup>31</sup> In the fall of 2020, Respondent also held a meeting with Student,  
8 Parents, and all of Student's teachers to discuss Student's progress and what was  
9 expected from him during school.<sup>32</sup> Student passed all of his first semester classes except  
10 for English.<sup>33</sup>

11 16. Nevertheless, Student continued not to participate in most of his classes  
12 throughout the spring semester, even though he continued to log in for class.<sup>34</sup> Student  
13 and Mother repeatedly reported that Student was doing his schoolwork, but in reality,  
14 Student failed to turn in many assignments and failed to take several tests.<sup>35</sup> As the  
15 semester progressed, Student stopped putting forth any effort in some of his classes.

16 17. On March 30, 2021, Mother emailed Student's school counselor to let her  
17 know that Student had decided not to take a science test.<sup>36</sup>

18 18. On April 26, 2021, Mother emailed Student's case manager and informed  
19 her that Student had decided not to continue putting forth effort in his core classes so that  
20 he could focus on his electives.<sup>37</sup> As a result, Student failed all of his core classes but  
21 passed his electives during his second semester.<sup>38</sup>

22 19. During the 2020-2021 school year, Student did not achieve the language  
23 arts goal in his IEP; however, his teacher reported that the failure to achieve this goal was  
24 not indicative of skills and abilities, rather a reflection of work habits and missing

25 <sup>30</sup> Transcript 2/8/23 at 94:12-20.

26 <sup>31</sup> Transcript 2/8/23 at 94:7-9.

27 <sup>32</sup> Transcript 2/8/23 at 99:7-101:25.

28 <sup>33</sup> Exhibit A at 220.

29 <sup>34</sup> Exhibit B at 383.

30 <sup>35</sup> Exhibit B at 321, 342, 359, and 363.

<sup>36</sup> Exhibit B at 387.

<sup>37</sup> Transcript 2/8/23 at 126:18-127:18; Exhibit B at 398.

<sup>38</sup> Exhibit A at 220.

1 assignments.<sup>39</sup> In other words, Student was not completing his work, and Respondent  
2 therefore could not measure Student's academic progress.<sup>40</sup> Although Student was not  
3 doing enough work to measure progress on his language arts goal, he made adequate  
4 progress on his social emotional goal.<sup>41</sup>

#### 5 **May 2021 IEP**

6 20. Even though Student's August 2020 IEP was current through August of  
7 2021, Respondent scheduled an IEP meeting for Student on May 14, 2021.<sup>42</sup> On May 11,  
8 2021, Student's Case Manager, Ms. Nielsen, informed Mother that she was working on  
9 Student's IEP and asked what Student's plan was for "next year" so that she could make  
10 the IEP "appropriate to whichever setting he [would] be in."<sup>43</sup> Mother responded that "[h]is  
11 plan [was] to do an online school," but that he hadn't decided "whether he want[ed] to do  
12 Primavera or Grad Solutions," which are both online public charter schools with self-  
13 paced curriculums.<sup>44</sup> Mother further informed Ms. Nielsen that although Student intended  
14 to attend school outside of Respondent "next year," he wanted to retake English over the  
15 summer at Respondent.<sup>45</sup>

16 21. A few days later, Mother attended the IEP meeting and acknowledged that  
17 the 2020- 2021 school year had been rough for Student "both academically an in terms  
18 of his mental health."<sup>46</sup> Mother again confirmed that she was "very interested in pursuing  
19 either Grad Solutions or Primavera for next year, as [Student] [had] been successful in  
20 that format in the past."<sup>47</sup> Mother further reported that Student was "independent in his  
21 self-care needs and [took] care of his belongings."<sup>48</sup> Regarding Student's work habits, the  
22 IEP noted that Student had "been successful with fully online classes in the past, but  
23 synchronous class structure was very difficult for him."<sup>49</sup>

---

24 <sup>39</sup> Exhibit A at 199.

25 <sup>40</sup> Transcript 2/9/23 at 26:9-27:16.

26 <sup>41</sup> Transcript 2/9/23 at 27:17-28:15.

27 <sup>42</sup> Exhibit A at 200.

28 <sup>43</sup> Exhibit B at 416.

29 <sup>44</sup> Exhibit B at 416 and Transcript 2/8/23 at 117:20-118:12.

30 <sup>45</sup> Exhibit B at 416.

<sup>46</sup> Exhibit A at 202.

<sup>47</sup> *Id.*

<sup>48</sup> Exhibit A at 203.

<sup>49</sup> Exhibit A at 204.

22. Because Parents had indicated that Student was returning to a format where he had previously been successful, and where Student's existing accommodations and services had allowed him to be successful, the May 2021 IEP did not propose any significant changes. The May 2021 IEP included a language arts goal that was similar to the goal included in the August 2020 IEP, which Student did not achieve because he did not participate in English.<sup>50</sup> The May 2021 IEP also included a modified social emotional goal geared towards completing and submitting assignments, an executive functioning ability.<sup>51</sup> The May 2021 IEP further included similar accommodations as the August 2020 IEP, with the only addition being additional time for Student to take tests.<sup>52</sup> Student's services remained unchanged.<sup>53</sup>

23. Parents did not raise any concerns with the accommodations and services proposed by the IEP, and they did not inform Respondent that they were rejecting the placement proposed by Respondent.<sup>54</sup> On June 7, 2021, less than one month after Respondent drafted the May 2021 IEP, Mother contacted Respondent and informed it that Student was starting an online school, and she asked to withdraw him.<sup>55</sup> Respondent responded that it would take care of withdrawing Student the same day.<sup>56</sup> Respondent later received a records request from Grad Solutions, one of the online public charter schools that Student was considering attending.<sup>57</sup>

**Events from May 30, 2021 to Student's enrollment in the Outback Wilderness Program in July of 2021.**

24. On May 30, 2021, shortly after the May 14, 2021 IEP meeting, Dr. Leehey wrote a letter detailing Student's struggles with depression and anxiety.<sup>58</sup> That letter painted a starkly different picture of Student's mental health than had been reported by Parents in August 2020 or May 2021. Indeed, Dr. Leehey reported that Student needed

---

<sup>50</sup> Exhibit A at 206.

<sup>51</sup> Exhibit A2 at 07 and Transcript 2/9/23 at 33:22-34:4.

<sup>52</sup> Exhibit A at 208.

<sup>53</sup> Exhibit A at 213.

<sup>54</sup> Transcript 2/8/23 at 119:2-120:1.

<sup>55</sup> Exhibit B at 435.

<sup>56</sup> *Id.*

<sup>57</sup> Transcript 2/8/23 at 171:10-13 and Exhibit A at 292-93.

<sup>58</sup> Exhibit G at 1.

1 a residential treatment-oriented level of care as soon as possible.<sup>59</sup> Dr. Leehey indicated  
2 that Student suffered from a combination of diagnoses, including major depression,  
3 multiple anxiety disorders, ADHD, a learning disorder in reading, low-average intellect,  
4 and parent-child problems.<sup>60</sup> Dr. Leehey further reported that the clinical manifestations  
5 of these diagnoses “include[d], very importantly, that he ha[d] given up” and was  
6 struggling with suicidal thoughts.<sup>61</sup>

7 25. After receiving Dr. Leehey’s letter, on July 15, 2021, Parents enrolled  
8 Student in a wilderness program called Outback.<sup>62</sup> In their Outback enrollment  
9 application, Parents indicated that the specific events that precipitated their decision to  
10 seek treatment for Student were because his anxieties and depression had gotten worse  
11 “this year,” which had led to isolation, including Student’s refusal to contact his friends or  
12 leave the house.<sup>63</sup> Parents reported that Student was having issues with respecting  
13 Mother, Student wanted to be left alone to do whatever he wanted, and Student wanted  
14 to do nothing but play video games and watch TV.<sup>64</sup> Parents also reported that Student  
15 had not left the house in one to two months, and that he would stay in his room even  
16 when family came over to the house.<sup>65</sup> Importantly, Parents never shared this letter, or  
17 the information contained in it, with Respondent until well after they had enrolled Student  
18 at LiveStrong House.

19 26. Dr. Leehey noted that Student’s current state explained his “severe and  
20 completely incapacitating non-compliance with all aspects of his treatment and his life.”<sup>66</sup>  
21 Student not only refused to learn how to drive, get a job, or participate in any other school  
22 year or summer structure, but also refused to leave the house to see his friends and  
23 refused to take his prescribed medications, which led to increased conflict with Parents,  
24 including aggressive posturing, pushing, shoving, and destructiveness.<sup>67</sup> Student also

---

25 <sup>59</sup> *Id.*

26 <sup>60</sup> *Id.*

27 <sup>61</sup> *Id.*

28 <sup>62</sup> Exhibit G at 27.

29 <sup>63</sup> Exhibit G at 28.

30 <sup>64</sup> Transcript 2/8/23 at 23:24-25:11 and Exhibit G at 27.

<sup>65</sup> Exhibit G at 27-29.

<sup>66</sup> Exhibit G at 1.

<sup>67</sup> *Id.*

1 completely refused to participate in therapy sessions, even by video.<sup>68</sup> Dr. Leehey  
2 described the state of Student's mental health as a "crisis," and he opined that Student  
3 "require[d] medically (psychiatrically) necessary residential treatment at a facility capable  
4 of treating him three to six months."<sup>69</sup>

5 27. While Student was at Outback, he was evaluated by Dr. [REDACTED] Corelli, a  
6 licensed clinical psychologist.<sup>70</sup> On August 31, 2021, Dr. Corelli authored two reports as  
7 the result of his evaluation: an eight-page Confidential Educational Assessment Report  
8 and a 16-page Confidential Psychological Assessment Report.<sup>71</sup> A psychological  
9 assessment is more geared towards medical needs, while an educational assessment  
10 includes only information from a psychological assessment that is pertinent to educational  
11 needs.<sup>72</sup> Dividing the information from a comprehensive psychological assessment into  
12 two reports allows a patient to "maintain[] privacy in maybe some areas, like on the  
13 psychological assessment and MPIs and personality type things, that are not necessarily  
14 necessary for an education type assessment," and it is expected that an educational  
15 assessment report would include everything that is relevant to a patient's educational  
16 needs.<sup>73</sup>

17 28. In Student's educational assessment report, Dr. Corelli indicated that a  
18 diagnosis for ADHD remained appropriate.<sup>74</sup> Dr. Corelli also diagnosed Student with  
19 "deficits in his executive functioning," and more specifically with "cognitive shifting," which  
20 Student expressed anytime that he was required to adjust to changes in routine or task  
21 demands.<sup>75</sup> Dr. Corelli opined that due to Student's executive functioning deficits, Student  
22 would "need to be provided specific, practical, step-by-step instructions and guidelines to  
23 help him develop compensatory skills" to address struggles with initiating tasks and  
24 activities, working memory, planning, and organization.<sup>76</sup> Dr. Corelli further opined that

---

25 <sup>68</sup> *Id.*

26 <sup>69</sup> Exhibit G at 2.

27 <sup>70</sup> Exhibit G at 3-26.

28 <sup>71</sup> Exhibit G at 3-10 and Exhibit G at 11-26.

29 <sup>72</sup> Transcript 2/9/23 at 40:15-43:5.

30 <sup>73</sup> Transcript 2/9/23 at 42:7-43:5; See Transcript 2/6/23 at 216:20-217:7.

<sup>74</sup> Exhibit G at 10.

<sup>75</sup> *Id.*

<sup>76</sup> *Id.*

1 based on Student's testing results, there was no information to support a continuing  
2 diagnosis for a specific learning disability.<sup>77</sup> Nowhere in the educational assessment did  
3 Dr. Corelli indicate an educational need for placement in a residential setting.<sup>78</sup>

4 29. In contrast, Student's psychological assessment report included  
5 significantly more information regarding Student's mental health diagnoses.<sup>79</sup> In addition  
6 to the diagnoses listed in the educational assessment, Dr. Corelli diagnosed Student with  
7 generalized anxiety disorder, social anxiety disorder, and major depressive disorder.<sup>80</sup>  
8 Based on these diagnoses, Dr. Corelli "recommended that following his stay at Outback,  
9 [Student] go on to a longer-term therapeutic residential school" that could address his  
10 "anxiety, social anxiety, poor social skills, depression, low self-esteem, and self-  
11 criticalness."<sup>81</sup> Dr. Corelli further opined that "[r]egular individual, group, and family  
12 therapy [would] all be important."<sup>82</sup>

### 13 **Parents' Unilateral Placement at LiveStrong House**

14 30. Student was discharged from Outback on September 23, 2021.<sup>83</sup> That  
15 same day, Parents enrolled Student at LiveStrong House for continued treatment.<sup>84</sup> When  
16 Parents enrolled Student at LiveStrong House, they completed a number of forms,  
17 including an Informed Consent for Treatment and Participation and a Confidentiality and  
18 Health Insurance Portability and Accountability Act of 1996 (HIPAA) Policy.<sup>85</sup> In the  
19 Informed Consent for Treatment Form, Parents acknowledged that if Student was  
20 "removed from [LiveStrong House] against the advice of the treatment team's  
21 recommendations, that [Student] would be discharged Against Medical Advice."<sup>86</sup> And in  
22 the Confidentiality and HIPAA Policy, Parents acknowledged that LiveStrong House  
23 complies with HIPAA requirements.<sup>87</sup>

---

24 <sup>77</sup> *Id.*

25 <sup>78</sup> Exhibit G at 3-10.

26 <sup>79</sup> Exhibit G at 10-26.

27 <sup>80</sup> Exhibit G at 26.

28 <sup>81</sup> *Id.*

29 <sup>82</sup> *Id.*

30 <sup>83</sup> Exhibit G at 31.

<sup>84</sup> Exhibit D at 95.

<sup>85</sup> Exhibit D at 103-04 and 106.

<sup>86</sup> Exhibit D at 104.

<sup>87</sup> Exhibit D at 106.

31. LiveStrong House is a residential support program that provides treatment for mental health conditions and processing disorders.<sup>88</sup> Its clinicians include licensed clinical social workers that provide mental health treatment and bill medical insurance carriers for that treatment.<sup>89</sup> Its treatment modalities include rational behavior therapy, cognitive behavior therapy, solution focused therapy, recreational therapy, motivational interviewing, dialectal behavior treatment, neurofeedback, group therapy, family therapy, individual therapy, and a therapeutic community.<sup>90</sup>

32. During his time at LiveStrong House, Student received extensive treatment for his mental health diagnoses pursuant to a Treatment Plan, including the diagnoses that were not listed in Dr. Corelli's educational assessment.<sup>91</sup>

- a. First, Student received individual counseling two times per week, where he worked on issues including identifying goals outside of academics, challenging negative self-talk, developing emotional language, addressing symptoms of depression, communicating with Parents, challenging irrational beliefs, addressing suicidal ideation, and addressing symptoms of avoidance personality disorder.<sup>92</sup>
- b. Second, Student received ongoing neurofeedback, which involved placing electrodes on his scalp to target areas where brain wave activity needed regulation.<sup>93</sup>
- c. Third, Student participated in ongoing recreational therapy on a daily or weekly basis, which included activities like sports, games, music, arts and crafts, gym participation, exercise, hiking, mountain biking, skiing, snowboarding, running, and swimming.<sup>94</sup>
- d. Fourth, Student participated in group therapy four times per week, where he discussed topics including toxic masculinity, family visits, safe-sex

<sup>88</sup> Transcript 2/6/23 at 131:13-132:6.

<sup>89</sup> Transcript 2/6/23 at 132:14-19; see, e.g., Exhibit P7 at 17-18.

<sup>90</sup> Transcript 2/7/23 at 65:13-67:19.

<sup>91</sup> Transcript 2/7/23 at 62:8-63:18 and Exhibit D at 114-19.

<sup>92</sup> Transcript 2/7/23 at 68:8 and Exhibit D at 258-64, and 280-86.

<sup>93</sup> Transcript 2/7/23 at 66:23-67:10, 68:9-12.

<sup>94</sup> Transcript 2/7/23 at 66:10-16 and 68:13-20.

1 practices, healthy relationships, what to do with friends besides using  
2 substances, mindful meditation, frustrations with relationships with Parents,  
3 family interactions, and the impacts of pornography, and he also engaged  
4 in art therapy.<sup>95</sup>

5 e. Finally, Student participated in family therapy one time per week.<sup>96</sup>

6 33. Pursuant to an Educational Services Agreement, Coral Sands Academy,  
7 Inc. (CSA) provides educational and academic services to the students for which  
8 LiveStrong House provides rehabilitation services.<sup>97</sup> CSA provides LiveStrong House with  
9 full teacher support and supervision of courses, tutoring for both individual and small  
10 groups, communication with parents and LiveStrong House staff, high school diplomas,  
11 ACT and SAT preparation, college and career preparation, development of academic  
12 plans, and credit and GPA recovery.<sup>98</sup> In exchange for these services, CSA bills  
13 LiveStrong House at a flat rate of \$180 per student per month.<sup>99</sup> CSA is a fully online  
14 school with self-paced classes.<sup>100</sup> CSA teachers work with students on course subject  
15 matter and CSA teachers grade the assignments that students complete.<sup>101</sup> Any student  
16 can enroll in CSA, and it is unnecessary to have another teacher work with a student at  
17 home in order to complete the program.<sup>102</sup>

18 34. While receiving the extensive treatment described above at LiveStrong  
19 House, Student attended high school online at CSA four days per week.<sup>103</sup> Non-  
20 certificated LiveStrong House staff members were present while Student completed his  
21 course work, and, at times, Student would work with LiveStrong House's Academic  
22 Director, Ms. Prusse, who is a special education teacher.<sup>104</sup> But in reality, Student  
23 received his education from CSA: Student received all of his credits from CSA, Student

24 <sup>95</sup> Transcript 2/7/23 at 68:21-23 and Exhibit D at 275-79.

25 <sup>96</sup> Transcript 2/7/23 at 68:24-25.

26 <sup>97</sup> Exhibit D at 88.

27 <sup>98</sup> *Id.*

28 <sup>99</sup> Exhibit D at 90.

29 <sup>100</sup> Transcript 2/6/23 at 244:10-18.

30 <sup>101</sup> Transcript 2/6/23 at 244:19-245:4.

<sup>102</sup> Transcript 2/6/23 at 245:5-15.

<sup>103</sup> Exhibit D at 39.

<sup>104</sup> Transcript 2/6/23 at 200:1-202:8.



communicated with CSA teachers about his coursework, CSA teachers graded the assignments Student completed, and when he graduated, Student received his diploma from CSA.<sup>105</sup>

35. LiveStrong House billed Parents \$395 per day for Student's time at LiveStrong House, significantly more than the rates charged by CSA for Student's education.<sup>106</sup> LiveStrong House also billed Parents for a nonrefundable admissions fee, which covered things such as "bedding, ski passes, gym pass, and all company activities."<sup>107</sup> LiveStrong House further billed Parents for incidentals, which covered things such as "clothing, doctor visits, personal activities, etc."<sup>108</sup> Parents submitted claims to their medical insurance carrier for the treatment that LiveStrong House provided, and ultimately, their medical insurance carrier covered a significant portion of the expenses.<sup>109</sup>

36. When Student graduated from CSA on August 3, 2022, he continued to stay at LiveStrong House.<sup>110</sup> Indeed, as of the date of the hearing in February of 2023, six months after his graduation date and one year after he turned 18, Student continued to reside at LiveStrong House to work on "life skills."<sup>111</sup>

#### **The January 2022 IEP**

37. On September 27, 2021, Parents contacted Respondent to request an IEP meeting for Student.<sup>112</sup> The next day, Respondent's lead school psychologist, Ms. Olivas, responded and asked what online school Student was attending, indicating that typically the school he was attending would be responsible for holding an IEP meeting.<sup>113</sup> Parents responded that they were requesting an out-of-district placement for Student, and in response to another question from Ms. Olivas, Parents informed Respondent for the first time that they had placed Student at LiveStrong House "for residential treatment."<sup>114</sup> Ms.

---

<sup>105</sup> Transcript 2/6/23 at 183:22-184:1, 202:25-203:18, 242:14-16; Exhibit D at 12 and 243-45.

<sup>106</sup> Exhibit P7 at 1.

<sup>107</sup> *Id.*

<sup>108</sup> *Id.*

<sup>109</sup> Exhibit P7 at 17-109 and Exhibit R at 3.

<sup>110</sup> Transcript 2/8/23 at 34:25-35:3.

<sup>111</sup> *Id.*

<sup>112</sup> Exhibit B at 438-39.

<sup>113</sup> Exhibit B at 348.

<sup>114</sup> Exhibit B at 438.

1 Olivas continued to ask for additional information, including whether LiveStrong House  
2 had requested a copy of the current IEP or whether it wanted a new IEP.<sup>115</sup> Parents did  
3 not immediately respond.<sup>116</sup> On October 14, 2021, more than two weeks later, Parents  
4 responded to Ms. Olivas's September 28th email.<sup>117</sup> For the first time, Parents raised  
5 several concerns with Student's May 2021 IEP.<sup>118</sup> For the first time, Parents provided  
6 Respondent with a copy of Dr. Leehey's letter.<sup>119</sup> For the first time, Parents indicated that  
7 they were rejecting the placement proposed by Respondent and were seeking  
8 reimbursement for tuition and related expenses for Student as long as he was at  
9 LiveStrong House.<sup>120</sup> Parents thereafter reiterated the request for an IEP meeting,  
10 indicated that they would like placement at a residential treatment center (RTC)  
11 considered, and asked Respondent to invite someone from the Regional Behavioral  
12 Health Agency (RBHA) to attend the meeting.<sup>121</sup>

13 38. One week later, on October 21, 2021, Ms. Olivas responded to Parents to  
14 schedule the IEP meeting and to request additional information, including "a copy of any  
15 IEP or evaluations that Live Strong House developed or relied on."<sup>122</sup> After receiving no  
16 response, Ms. Olivas contacted Parents again on October 26, 2021.<sup>123</sup> Parents  
17 responded the same day, and although they provided responses to Respondent's  
18 questions, they did not provide a copy of Dr. Corelli's evaluation report, which Ms. Prusse  
19 had previously advised Parents not to disclose.<sup>124</sup>

20 39. Eventually, after several email exchanges regarding scheduling,  
21 Respondent scheduled the first of three IEP meetings for Student on November 29,  
22 2021.<sup>125</sup> Prior to that meeting, however, and in fact immediately after Mother contacted  
23 Respondent on September 27, 2021, Ms. Olivas contacted the Department to request

---

24 <sup>115</sup> Exhibit B at 437-38.

25 <sup>116</sup> Exhibit B at 437.

26 <sup>117</sup> *Id.*

27 <sup>118</sup> *Id.*

28 <sup>119</sup> *Id.*

29 <sup>120</sup> *Id.*

30 <sup>121</sup> *Id.*

<sup>122</sup> Exhibit B at 443.

<sup>123</sup> Exhibit B at 446.

<sup>124</sup> *Id.* and Exhibit E at 3.

<sup>125</sup> Exhibit B at 447-49 and B at 452; see generally P1, P2, and P3.

1 further information regarding educational placements in RTCs.<sup>126</sup> Ms. Olivas also  
2 contacted the RBHA in an attempt to get a representative to attend the IEP meeting, as  
3 Parents had requested.<sup>127</sup> The RBHA informed Ms. Olivas that because Student had  
4 been placed by Parents, rather than Respondent, Parents would need to be the ones to  
5 initiate a request for a RBHA representative.<sup>128</sup>

6 40. The first IEP meeting was attended by Parents; their advocate, Mr.  
7 Jefferson; Ms. Prusse; Ms. Olivas; Ms. Nielsen; Respondent's representative and Director  
8 of Student Services, Ms. Hodge; and a general education teacher within Respondent.<sup>129</sup>  
9 During that meeting, the IEP team discussed Student's present levels, which were  
10 reported by Ms. Prusse and Parents.<sup>130</sup> Ms. Prusse indicated that she had seen "serious  
11 engagement" on Student's part, Student was working well independently, Student had  
12 been self-advocating, Student had a high degree of work completion, Student had been  
13 on-task and attending to tasks well, and Student had been "coming up every day up the  
14 stairs to the classroom with a smile on his face."<sup>131</sup> Ms. Prusse also reported that  
15 LiveStrong House had not seen any issues with Student's reading comprehension.<sup>132</sup> For  
16 their part, Parents provided information about how and why they had placed Student at  
17 Outback, and they reported that since Student had been at LiveStrong House, he had  
18 been "using his coping skills," was a "different person" than before he had received  
19 treatment, and that his progress had been "unbelievable."<sup>133</sup> Parents also provided  
20 Respondent with Dr. Corelli's evaluation report for the first time.<sup>134</sup>

21 41. Although the IEP team had not yet discussed Student's goal or services,  
22 towards the end of the first IEP meeting, Mr. Jefferson raised the issue of Student's  
23 eventual placement and indicated that Parents believed that Student "still require[d] a  
24

25 <sup>126</sup> Transcript 2/8/23 at 180:18-182:21 and Exhibit B at 464-65.

26 <sup>127</sup> Transcript 2/8/23 at 188:24-189:8.

27 <sup>128</sup> Transcript 2/8/23 at 189:9-13.

28 <sup>129</sup> Exhibit P1 at 3.

29 <sup>130</sup> See generally Exhibit P at 1.

30 <sup>131</sup> Exhibit P1 at 7.

<sup>132</sup> *Id.*

<sup>133</sup> Exhibit P1 at 10-12.

<sup>134</sup> Exhibit P1 at 15.

1 residential level of support.”<sup>135</sup> In response, Ms. Hodge stated that “at this point,  
2 Respondent does not feel that he needs placement in a—in a residential treatment facility  
3 for educational purposes.”<sup>136</sup> Mr. Jefferson thereafter accused Respondent of  
4 predetermining Student’s placement.<sup>137</sup> After being interrupted several times by Mr.  
5 Jefferson, Ms. Hodge was able to clarify that Respondent did not believe that Student  
6 had an educational need for placement in a residential setting based on what it saw in  
7 May of 2021, and that Respondent had only recently been provided information from  
8 LiveStrong House, including, but not limited to, Dr. Corelli’s evaluation report.<sup>138</sup> Shortly  
9 after this exchange, the IEP team agreed to reconvene at a later date to allow Respondent  
10 to review the information that had recently been provided by LiveStrong House and  
11 Parents.<sup>139</sup>

12 42. After two additional IEP meetings on January 15 and 24, 2022, Respondent  
13 developed a new IEP for Student.<sup>140</sup> In developing the January 2022 IEP, Respondent  
14 incorporated substantial feedback from Parents and information provided by Parents and  
15 LiveStrong House.<sup>141</sup> The IEP included six social emotional goals aimed towards  
16 requesting assistance with non-preferred tasks, checking in with a special education  
17 teacher regarding Student’s emotional state, identifying emotions and behaviors in real  
18 or hypothetical scenarios, identifying coping strategies, identifying strategies to complete  
19 non-preferred tasks, and breaking down complex assignments.<sup>142</sup> The January 2022 IEP  
20 also provided a number of accommodations, including providing a consistent daily  
21 routine, using visual tools to allow Student to break down and plan assignments, breaking  
22 down assignments into smaller parts, frequently monitoring independent work to ensure  
23 completion, allowing extra test time, placing Student in groups with students he knew as  
24

25 <sup>135</sup> Exhibit P1 at 15-16.

26 <sup>136</sup> Exhibit P1 at 16; see also Transcript 2/6/23 at 264:1-6 (identifying speaker).

27 <sup>137</sup> Exhibit P1 at 16.

28 <sup>138</sup> *Id.*

29 <sup>139</sup> Exhibit P1 at 18.

30 <sup>140</sup> See generally Exhibits P2 and P3.

<sup>141</sup> Transcript 2/7/23 at 228:2-7; compare Exhibit R2, with Exhibit A at 229-49.

<sup>142</sup> Exhibit A at 236.

1 much as possible, teacher prompting to initiate tasks, allowing breaks when needed,  
2 testing in a small group environment, and extended time to complete assignments.<sup>143</sup>

3 43. The January 2022 IEP further offered Student numerous services.<sup>144</sup> The  
4 IEP first provided for 60 minutes per day of behavior support delivered by a special  
5 education teacher, which amounted to five hours per week of direct, specially designed  
6 instruction.<sup>145</sup> Although the amount of direct instruction offered was 60 minutes per day,  
7 in reality, Student would have been in a study support class for 120 minutes per day,  
8 which amounted to 10 hours per week.<sup>146</sup>

9 44. At LiveStrong House, Student received a total of six hours of behavior  
10 support per week, delivered by a combination of an executive functioning coach, non-  
11 certificated LiveStrong House staff, and Ms. Prusse.<sup>147</sup> Of this amount, Ms. Prusse  
12 characterized two hours as being delivered by a special education teacher and four hours  
13 as push-in services provided by non-certificated LiveStrong House personnel inside the  
14 classroom.<sup>148</sup> The January 2022 IEP provided more hours of special-educator delivered  
15 and supervised behavior support than Student was receiving at LiveStrong House.

16 45. The January 2022 IEP also provided for 30 minutes per week of counseling  
17 delivered by a counselor or psychologist.<sup>149</sup> This instruction was aimed towards  
18 recognizing and accurately labeling emotions and how they are linked to behavior, as well  
19 as helpful self-talk strategies to use in stressful situations.<sup>150</sup> At LiveStrong House,  
20 Student received five hours of counseling per week, delivered through individual and  
21 group therapy.<sup>151</sup> But as set forth above, that counseling was medical and therapeutic in  
22 nature, rather than educational in nature. Based on the services offered by Respondent,  
23 the IEP indicated that the least restrictive environment (LRE) for Student's education was  
24 to be inside the general education classroom between 40 and 79 percent of the school

---

25 <sup>143</sup> Exhibit A at 238.

26 <sup>144</sup> Exhibit A at 244.

27 <sup>145</sup> *Id.*

28 <sup>146</sup> *Id.*

29 <sup>147</sup> Exhibit P3 at 21.

30 <sup>148</sup> Exhibit P3 at 22.

<sup>149</sup> Exhibit A at 244.

<sup>150</sup> *Id.*

<sup>151</sup> Exhibit P3 at 20.

1 day.<sup>152</sup> For the remainder of the day, Student would be in a small group setting (the study  
2 support classes) and counseling.

3 46. On January 25, 2022, Respondent provided Parents with a Prior Written  
4 Notice (PWN) detailing the decisions reached by the IEP team.<sup>153</sup> The PWN noted that  
5 adding additional counseling minutes was considered and refused because removing  
6 Student from class for additional counseling would remove him from interactions with his  
7 nondisabled peers and was not the LRE for Student's education.<sup>154</sup> The PWN further  
8 explained that the extensive counseling that Student was receiving at LiveStrong House  
9 went far beyond Student's educational needs and addressed the medical needs identified  
10 by his doctor, i.e., Dr. Leehey.<sup>155</sup> Additionally, the PWN noted that placing Student at a  
11 therapeutic RTC was considered and refused because an RTC was not the LRE for  
12 Student's education, and Respondent was willing and able to provide the services  
13 provided for in the IEP within Respondent.<sup>156</sup>

14 47. Parents ultimately rejected the services and accommodations offered by  
15 Respondent in the January 2022 IEP. Instead, they elected to keep Student at LiveStrong  
16 House, where he remained until at least the date of the hearing in this matter—six months  
17 after Student received his high school diploma from CSA and one year after he turned  
18 18.

### 19 **Dr. Sammons' Testimony at Hearing**

20 48. Dr. Sammons is a licensed psychologist in private practice.<sup>157</sup> She has  
21 never worked for Respondent.<sup>158</sup> In addition to her private practice, Dr. Sammons teaches  
22 special education classes in the area of assessment at the University of Arizona.<sup>159</sup> She  
23 obtained her Ph.D. in school psychology in 2009, her masters in special education in  
24 1997, and her bachelor's in liberal studies in 1981.<sup>160</sup> Dr. Sammons is a nationally certified

---

25 <sup>152</sup> Exhibit A at 229.

26 <sup>153</sup> Exhibit A at 246-47.

27 <sup>154</sup> Exhibit A at 246.

28 <sup>155</sup> *Id.*

29 <sup>156</sup> *Id.*

30 <sup>157</sup> Transcript 2/9/23 at 3:5 and Ex R1 at 1.

<sup>158</sup> Transcript 2/9/23 at 8:12-14.

<sup>159</sup> Transcript 2/9/23 at 6:6-18.

<sup>160</sup> Exhibit R1.

1 school psychologist, and she holds certificates in school psychology; special education;  
2 general education; and cross-cultural, language, and academic development.

3 49. Dr. Sammons has worked with students who refuse to go to school and  
4 students who have anxiety, depression, and Attention Deficit Hyperactivity Disorder  
5 (ADHD).<sup>161</sup> Throughout her career, she has worked with hundreds of students and clients  
6 with anxiety and depression.<sup>162</sup> In general, parents come to Dr. Sammons for educational  
7 assessments when they are unhappy with the services that a school is providing.<sup>163</sup> There  
8 are times when Dr. Sammons agrees with parents that there should be more done at the  
9 school level, and there are others when she informs parents that the services they are  
10 requesting are not for school-related issues.<sup>164</sup>

11 50. In this case, Dr. Sammons reviewed numerous educational records related  
12 to Student, including a MET report from 2018, the Primavera IEP, the August 2020 IEP,  
13 the May 2021 IEP, the January 2022 IEP, and Student's grades.<sup>165</sup> Dr. Sammons also  
14 reviewed a letter written by Student's psychiatrist, Dr. [REDACTED] Leehey, and educational and  
15 psychological evaluation reports prepared by an independent psychologist, Dr. [REDACTED]  
16 Corelli.<sup>166</sup> Based on her review of these records, Dr. Sammons opined that Respondent  
17 offered Student appropriate services and supports at all times relevant to this action.<sup>167</sup>

18 51. With respect to the August 2020 IEP, Dr. Sammons opined that the IEP  
19 offered Student an appropriate education based on the needs reflected in his 2019  
20 evaluation.<sup>168</sup> Specifically, that evaluation indicated that Student had needs as a result of  
21 his emotional disability and in reading comprehension, which the August 2020 IEP  
22 addressed.<sup>169</sup>

23 52. When Respondent drafted the August 2020 IEP, Parents did not identify  
24 any new concerns with Student's academic performance. Parents reported that Student

25 <sup>161</sup> Transcript 2/9/23 at 9:12-20.

26 <sup>162</sup> Transcript 2/9/23 at 122:21-123:2.

27 <sup>163</sup> Transcript 2/9/23 at 8:15-10:4.

28 <sup>164</sup> Transcript 2/9/23 at 9:21-10:4.

29 <sup>165</sup> Transcript 2/9/23 at 10:15-11:24.

30 <sup>166</sup> *Id.*

<sup>167</sup> Transcript 2/9/23 at 11:25- 12:16.

<sup>168</sup> Transcript 2/9/23 at 16:19-23:24.

<sup>169</sup> Transcript 2/9/23 at 16:19-23:24.

1 had his driver's permit, helped around the house with household chores and upkeep, was  
2 responsible for pet care, and managed his own academic schedule.<sup>170</sup> According to Dr.  
3 Sammons, none of the information that Parents provided would have raised any  
4 concerns.<sup>171</sup>

5 53. Dr. Sammons opined that, all told, Student gained a meaningful educational  
6 benefit during the 2020-2021 school year, notwithstanding his grades, in large part  
7 because later testing showed that Student experienced growth both academically and  
8 cognitively.<sup>172</sup>

9 54. Dr. Sammons opined that the May 2021 IEP offered Student an appropriate  
10 education because it continued to provide special education services for him.<sup>173</sup> Further,  
11 the May 2021 IEP included social emotional services and goals, which was where Student  
12 was struggling.<sup>174</sup> Nothing within Student's present levels suggested a need for more  
13 intensive educational services because when Student did his assigned work, he did so  
14 adequately, which indicated that his poor academic performance was not related to  
15 academic needs.<sup>175</sup>

16 55. Dr. Sammons opined that the January 2022 IEP offered Student an  
17 appropriate education at the time it was written and that Student did not need placement  
18 in an RTC to access the general education curriculum.<sup>176</sup> The IEP provided Student with  
19 access to the general education curriculum, provided Student with additional support and  
20 services, included appropriate goals to address Student's needs as identified by Dr.  
21 Corelli's educational assessment report, and included sufficient service minutes to  
22 address Student's goals.<sup>177</sup> In fact, Dr. Sammons testified that she had never seen as  
23 many service minutes as Respondent offered in Student's IEP, which "indicate[d] that the  
24 [Respondent] was trying to go above and beyond in terms of meeting [Student's]

25 <sup>170</sup> Transcript 2/9/23 at 22:1- 23:7.

26 <sup>171</sup> Transcript 2/9/23 at 23:8-10.

27 <sup>172</sup> Transcript 2/9/23 at 28:16-30:14.

28 <sup>173</sup> Transcript 2/9/23 at 31:18-25.

29 <sup>174</sup> Transcript 2/9/23 at 31:18-25.

30 <sup>175</sup> Transcript 2/9/23 at 32:1-33:8.

<sup>176</sup> Transcript 2/9/23 at 57:10-14, 60:20-61:2.

<sup>177</sup> Transcript 2/9/23 at 57:15-59:10.



needs.”<sup>178</sup> Dr. Sammons also testified that the therapy Student was receiving at LiveStrong House was to address his medical needs, and that it is not the role of schools to provide clinical therapy to students to treat anxiety and depression.<sup>179</sup>

## **CONCLUSIONS OF LAW**

### **APPLICABLE LAW**

#### ***FAPE***

1. Through the IDEA, Congress has sought to ensure that all children with disabilities are offered a FAPE that meets their individual needs.<sup>180</sup> These needs include academic, social, health, emotional, communicative, physical, and vocational needs.<sup>181</sup> To provide a FAPE, a school district must identify and evaluate all children within their geographical boundaries who may be in need of special education and services. The IDEA sets forth requirements for the identification, assessment, and placement of students who need special education, and seeks to ensure that they receive a FAPE. A FAPE consists of “personalized instruction with sufficient support services to permit the child to benefit educationally from that instruction.”<sup>182</sup> The FAPE standard is satisfied if the child’s IEP sets forth his or her individualized educational program that is “reasonably calculated to enable the child to receive educational benefit.”<sup>183</sup> The IDEA mandates that school districts provide a “basic floor of opportunity.”<sup>184</sup> The IDEA does not require that each child’s potential be maximized.<sup>185</sup> A child receives a FAPE if a program of specialized instruction “(1) addresses the child’s “unique” needs, (2) provides adequate

---

<sup>178</sup> Transcript 2/9/23 at 59:2-10.

<sup>179</sup> Transcript 2/9/23 at 59:11-60:19.

<sup>180</sup> 20 U.S.C. §1400(d); 34 C.F.R. § 300.1.

<sup>181</sup> Seattle Sch. Dist. No. 1 v. B.S., 82 F.3d 1493, 1500 (9<sup>th</sup> Cir. 1996) (quoting H.R. Rep. No. 410, 1983 U.S.C.C.A.N. 2088, 2106).

<sup>182</sup> Hendrick Hudson Central Sch. Dist. Bd. of Educ. v. Rowley, 458 U.S. 176, 204 (1982).

<sup>183</sup> *Id.*, 485 U.S. at 207. In 2017, in Endrew F. v. Douglas County Sch. Dist. RE-1, 580 U.S. \_\_\_, 137 S. Ct. 988, 2017 West Law 1234151 (March 22, 2017), the Supreme Court reiterated the *Rowley* standard, adding that a school “must offer an IEP that is reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances,” but the Court declined to elaborate on what “appropriate progress” would look like case to case (*i.e.*, in light of a child’s circumstances).

<sup>184</sup> Rowley, 458 U.S. at 200.

<sup>185</sup> See *id.* at 198.

support services so the child can take advantage of the educational opportunities and (3) is in accord with the child's individualized educational program.”<sup>186</sup>

2. The FAPE to which a child with a disability is entitled under the IDEA is not the absolute best or “potential-maximizing” education.<sup>187</sup> The IDEA “cannot and does not promise ‘any particular [educational] outcome.’ No law could do that—for any child.”

### ***The IEP***

3. Once a student is determined eligible for special education services, a team composed of the student's parents, teachers, and others familiar with the student formulate an IEP that generally sets forth the student's current levels of educational and functional performance and sets annual goals that the IEP team believes will enable the student to make progress in the general education curriculum.<sup>188</sup> The IEP tells how the student will be educated, especially with regard to the student's unique needs that result from the student's disability, and what services will be provided to aid the student. The student's parents have a right to participate in the formulation of an IEP.<sup>189</sup> The IEP team must consider the strengths of the student, concerns of the parents, evaluation results, and the academic, developmental, and functional needs of the student.<sup>190</sup>

4. An IEP is “the centerpiece of the [IDEA's] education delivery system for disabled children.”<sup>191</sup> An IEP is prepared by an “IEP team” which includes teachers, school officials, and the child's parents.<sup>192</sup> When an IEP team meets to determine the needs of a student with a disability, participation of the student's parents is crucial to ensure that their student receives all of the benefits to which he or she is entitled under the IDEA.<sup>193</sup> Determining whether the IEP is crafted to meet the “reasonably calculated” standard requires the IEP team to undergo a fact-intensive exercise that is informed by the expertise of school officials and the input of the child's parents. *Id.* at 399.

<sup>186</sup> *Park v. Anaheim Union High Sch. Dist.*, 464 F.3d 1025, 1033 (9<sup>th</sup> Cir. 2006) (citing *Capistrano Unified Sch. Dist. v. Wartenberg*, 59 F.3d 884, 893 (9<sup>th</sup> Cir. 1995)).

<sup>187</sup> See *Rowley*, 458 U.S. at 197 n. 21 (1982).

<sup>188</sup> 20 U.S.C. § 1414(d); 34 C.F.R. §§ 300.320 to 300.324.

<sup>189</sup> 20 U.S.C. § 1414(d)(1)(B); 34 C.F.R. §§ 300.321(a)(1).

<sup>190</sup> 20 U.S.C. § 1414(d)(3)(A); 34 C.F.R. §§ 300.324(a).

<sup>191</sup> *Honig v. Doe*, 484 U.S. 305, 311 (1988).

<sup>192</sup> *Endrew F.*, 580 U.S. at 391.

<sup>193</sup> *Rowley*, 458 U.S. at 208-09.

### ***Substantive versus Procedural***

5. A determination of whether or not a student received a FAPE must be based on substantive grounds.<sup>194</sup> For a substantive analysis of an IEP, the review of the IEP is limited to the contents of the document.<sup>195</sup> Therefore, any question regarding whether an IEP is reasonably calculated to provide educational benefit to a student must be decided on the basis of the content of the IEP itself.

6. Procedural violations in and of themselves do not necessarily deny a student a FAPE. If a procedural violation is alleged and found, it must be determined whether the procedural violation either (1) impeded the student's right to a FAPE; (2) significantly impeded the parents' opportunity to participate in the decision-making process; or (3) caused a deprivation of educational benefit.<sup>196</sup> If one of those three impediments has occurred, the student has been denied a FAPE due to the procedural violation.

### ***Burden of Proof and Basis of Decision***

7. A parent who requests a due process hearing alleging non-compliance with the IDEA must bear the burden of proving that claim.<sup>197</sup> The standard of proof is "preponderance of the evidence," meaning evidence showing that a particular fact is "more probable than not."<sup>198</sup> Therefore, in this case Petitioners bear the burden of proving by a preponderance of evidence that Respondent substantively violated the IDEA through the alleged actions or inactions. If a procedural violation is alleged and demonstrated, Petitioners must then show that the procedural violation either (1) impeded Student's right to a FAPE, (2) significantly impeded Parents' opportunity to participate in the decision-making process, or (3) caused a deprivation of educational benefit to Student.<sup>199</sup>

<sup>194</sup> 20 U.S.C. § 1415(f)(3)(E)(i); 34 C.F.R. §§ 300.513(a)(1).

<sup>195</sup> *Knable v. Bexley City Sch. Dist.*, 238 F.3d 755, 768 (6<sup>th</sup> Cir. 2001) ("only those services identified or described in the . . . IEP should have been considered in evaluating the appropriateness of the program offered" (relying on *Union Sch. Dist. v. Smith*, 15 F.3d 1519, 1526 (9<sup>th</sup> Cir. 1994) (IDEA requirement of a formal, written offer should be enforced rigorously))).

<sup>196</sup> 20 U.S.C. § 1415(f)(3)(E)(ii); 34 C.F.R. §§ 300.513(a)(2).

<sup>197</sup> *Schaffer v. Weast*, 546 U.S. 49, 126 S. Ct. 528 (2005).

<sup>198</sup> *Concrete Pipe & Prods. v. Constr. Laborers Pension Trust*, 508 U.S. 602, 622, 113 S. Ct. 2264, 2279 (1993) (quoting *In re Winship*, 397 U.S. 358, 371-72 (1970)); see also *Culpepper v. State*, 187 Ariz. 431, 437, 930 P.2d 508, 514 (Ct. App. 1996); *In the Matter of the Appeal in Maricopa County Juvenile Action No. J-84984*, 138 Ariz. 282, 283, 674 P.2d 836, 837 (1983).

<sup>199</sup> 20 U.S.C. § 1415(f)(3)(E)(ii); 34 C.F.R. §§ 300.513(a)(2).

### **Issue #1**

8. Parents alleged that the August 2020 IEP denied Student a FAPE.

9. The appropriateness of Respondent's offer of FAPE is to be determined in light of the circumstances at the "snapshot in time" when the IEP was developed—not with the benefit of hindsight.<sup>200</sup>

10. Under the IDEA, a parent must bring a claim within two years of the date that they knew or should have known about the actions forming the basis of their complaint.<sup>201</sup> Here, in order to establish a claim for relief, Parents have the burden of proving a violation of the IDEA that occurred on or after June 2, 2020. Respondent's actions prior to that date cannot form the basis for Parents' claims. Because Student was not enrolled in Respondent during the 2019-2020 school year, the facts relevant to this matter being when Student returned to Respondent in August of 2020.

11. The hearing record shows that based on Student's academic success the prior year at Primavera, the August 2020 IEP was substantially similar to the IEP from the prior school year. Parents did not identify any new concerns with Student's academic performance. Parents reported that Student had his driver's permit, helped around the house with household chores and upkeep, was responsible for pet care, and managed his own academic schedule. The information provided by Parents did not raise any concerns.

12. The August 2020 IEP included one change from the prior year which was that student would reach out to his case manager once a week instead of once a month regarding any concerns. The August IEP continued accommodations such as placing Student with other students he knew during small group work, testing Student in a small

---

<sup>200</sup> J.W., 626 F.3d at 439 ("The standard for evaluating IEPs, commonly called the 'snapshot rule,' is not retrospective . . . . 'We do not judge an [IEP] in hindsight; rather, we look to the [IEP's] goals and goal achieving methods at the time the plan was implemented.'" (quoting Adams, 195 F.3d at 1149)); D.A. *ex rel.* Adams v. Fairfield-Suisun Unified Sch. Dist., 2013 WL 5278952 (E.D. Cal. Sept. 18, 2013) (holding that the adequacy of an IEP must be evaluated "in terms of what was objectively reasonable when it was developed."); Pangerl, 2017 WL 603834, at \*6 ("A court must not critique an IEP with the benefit of hindsight; instead, it must evaluate whether the goals and methods were reasonably calculated to ensure that the child would receive educational benefits at the time of implementation." (citing Anchorage Sch. Dist. v. M.P., 689 F.3d 1047, 1058 (9th Cir. 2012))).

<sup>201</sup> See Avila v. Spokane Sch. Dist. 81, 852 F.3d 936, 937 (9th Cir. 2017); see also 20 U.S.C. § 1415(f)(3)(C).

environment, and providing a 3 day extension to submit work. The August 2020 IEP also included a post-secondary plan. The August IEP team considered other related services but determined that such services were not necessary to provide special education.

13. Based on Findings of Fact 1 through 13 and 51 through 52 above, the evidence presented at hearing shows that Respondent offered Student a FAPE that met his unique needs. Petitioners failed to establish by a preponderance of the evidence that the August 2020 IEP was not reasonably calculated to ensure that Student would receive educational benefit at the time that the IEP was developed. Parents' allegation is dismissed.

### ***Issue #2***

14. Parents alleged that the May 2021 IEP denied Student a FAPE.

15. Parents did not provide information during the May 2021 IEP meeting that suggested that the August 2020 IEP was inappropriate. A few days prior to the May 14, 2021 IEP meeting, Mother informed Ms. Nielsen that she would enroll Student in an online charter school with a self-paced curriculum for the upcoming school year.

16. Because Student was returning to a self-paced curriculum where he had been successful, and because Student's poor performance outwardly appeared to be the result of the lack of attendance and effort, the May 2021 IEP did not propose any significant changes to the August 2020 IEP. The new IEP kept a similar language arts goal, which had not been measured because Student did not attend classes. But the IEP included a revised goal regarding on-task behavior, which was aimed towards addressing the work completion issues that had plagued Student's junior year. The IEP continued the same accommodations and services that Student had been receiving previously. As with the August 2020 IEP, the May 2021 IEP was reasonably calculated to allow Student to make meaningful academic progress based on the information known to Respondent at the time it was drafted.

17. Based on Findings of Facts 14 through 23 and 53 through 54 above, the evidence presented at hearing shows that Respondent offered Student a FAPE that met his unique needs. Petitioners failed to establish by a preponderance of the evidence that the May 2021 IEP was not reasonably calculated to ensure that Student would receive

educational benefit at the time that the IEP was developed. Parents' allegation is dismissed.

### ***Issue #3***

18. Parents alleged that Respondent predetermined placement beginning with the IEP meeting on November 29, 2021, and continuing thereafter.

19. "A school district violates the IDEA if it predetermines placements for a student before the IEP is developed or steers the IEP to the predetermined placement."<sup>202</sup> School officials must therefore "come to the IEP table with an open mind[,] [b]ut this does not mean they should come to the IEP table with a blank mind."<sup>203</sup> "Thus, while a school system must not finalize its placement decision before an IEP meeting, it can, and should, have given some thought to that placement."<sup>204</sup>

20. As Parents acknowledge, predetermination is a procedural violation, which does not necessarily deny a student FAPE unless it (1) impedes the student's right to receive a FAPE, (2) significantly impedes the parents' opportunity to participate in the decision-making process, or (3) causes a deprivation of educational benefit.<sup>205</sup>

21. Respondent did not predetermine placement. The evidence presented at hearing shows that Ms. Hodge remarked, "at this point, Respondent does not feel that he needs placement in a—in a residential treatment facility for educational purposes" in direct response to Mr. Jefferson's comments that Parents still believed that Student needed a residential level of support.

22. Additionally, the remaining evidence in this case, both documentary and testimonial, conclusively establishes that Respondent did not predetermine Student's placement. Before the IEP meeting even occurred, Respondent took numerous steps to look into the process regarding placements in RTCs. Ms. Olivas emailed the Department to ask for information about residential placements and received information regarding residential vouchers. Ms. Olivas also contacted the RBHA in an effort to facilitate

---

<sup>202</sup> K.D. ex rel. C.L. v. Dep't of Educ., Hawaii, 665 F.3d 1110, 1123 (9th Cir. 2011).

<sup>203</sup> Doyle v. Arlington Cnty. Sch. Bd., 806 F. Supp. 1253, 1262 (E.D. Va. 1992); see also K.D., 665 at 1123 (citing Doyle).

<sup>204</sup> Doyle, 806 F. Supp. at 1263.

<sup>205</sup> 20 U.S.C. § 1415(f)(3)(E)(ii); see also Adam J. v. Keller Indep. Sch. Dist., 39 IDELR 1 (5th Cir. 2003).

discussion regarding residential placements. If Respondent had already determined that it would not consider placement in a residential setting, it would make little sense for Respondent to take these steps. Additionally, each of Respondent witnesses testified that they entered the IEP meeting with an open mind.

23. The IEP team spent a considerable amount of time discussing Student's present levels; developed appropriate goals for Student, which are not at issue in this action; and determined the services that would allow Student to achieve those goals before it made a final decision on placement. That decision was not made until two IEP meetings after Ms. Hodge's comments. After looking at the services proposed by the IEP, Respondent correctly determined that the services could be provided within Respondent.

24. Assuming, *arguendo*, that Respondent predetermined Student's placement (which it did not), that alleged predetermination would not have resulted in a denial of FAPE. Parents were provided ample opportunity to participate in the decision-making progress over the course of three IEP meetings. And as is further explained below, the placement decision neither impeded Student's right to receive a FAPE nor caused the deprivation of educational benefit.

25. Based on Findings of Facts 37 through 42 above, the evidence presented at hearing shows that Respondent did not predetermine Student's placement prior to the November 29, 2021 IEP meeting. Parents' allegation is dismissed.

#### ***Issue #4***

26. Parents alleged that January 2022 IEP denied Student a FAPE.

27. Under the IDEA, each public agency must ensure that "[t]o the maximum extent appropriate, children with disabilities . . . are educated with children who are nondisabled" and "removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily."<sup>206</sup> The issue is whether a residential placement for Student was necessary for educational purposes.<sup>207</sup> "If 'the placement is a response to medical, social, or

---

<sup>206</sup> 34 C.F.R. § 300.114(a).

<sup>207</sup> See *Ashland Sch. Dist. v. Parents of Student R.J.*, 588 F.3d 1004, 1010 (9th Cir. 2009).

1 emotional problems . . . quite apart from the learning process,' then it cannot be  
2 considered necessary under the IDEA."<sup>208</sup>

3 28. The hearing record shows that the January 2022 IEP was reasonably  
4 calculated to ensure that Student would receive an educational benefit based on  
5 recommendations and medical information that Respondent received from two medical  
6 health professionals regarding Student. The January 2022 IEP included six, agreed-upon  
7 social emotional goals, 60 minutes per day of behavior support delivered via direct  
8 instruction by a special education teacher, the requirement that Student to be in a special  
9 education classroom—a smaller and more restrictive environment—for an additional 60  
10 minutes per day, and 30 minutes of counseling per week.

11 29. The Administrative Law Judge concludes that Respondent is not  
12 responsible for treating Student's mental health diagnoses. The preponderance of the  
13 evidence shows that Student was placed at LiveStrong House in response to medical,  
14 social, or emotional needs separate from the educational needs.

15 30. Dr. Leehey's letter and Dr. Corelli's psychological assessment report were  
16 the driving forces behind Student's initial placement, and both of those authorities  
17 indicated that the placement was not due to an educational need. Dr. Leehey's letter  
18 describes a panoply of manifestations of Student's behavioral health diagnoses that have  
19 nothing to do with his education: refusal to participate in scheduled therapy, refusal to  
20 take medication, increased conflict with his parents, and refusal to leave the house at all.  
21 Dr. Corelli's educational assessment report did not recommend residential placement;  
22 that recommendation was only included in the psychological assessment report.

23 31. To the extent there was a need for Student's continued placement in a  
24 residential setting, which is itself unclear, the evidence likewise shows that the need for  
25 that placement was not educational in nature. At the time that the January 2022 IEP was  
26 drafted, by all accounts, Student was doing well academically. The academic reports from  
27 LiveStrong House representatives were glowing: Student was self-advocating, making  
28 significant academic progress, and showed up to the classroom with a smile on his face.

29 <sup>208</sup> *Id.* (quoting Clovis Unified Sch. Dist. v. Cal. Office of Admin. Hrgs. 903 F.2d 635, 643 (9th Cir. 1990)).



Further, Father reported that during a home visit in December of 2021, Student continued to work on physics. But Father also reported that during that visit, Student regressed emotionally. Due to that emotional regression, Parents flew someone down from LiveStrong House to “talk [Parents] off the ledge with him.” Importantly, this emotional regression occurred during a home visit when Student was not even attending school at CSA.

32. Based on Findings of Facts 14 through 55 above, the evidence presented at hearing shows that Respondent offered Student a FAPE that met his unique needs. Petitioners failed to establish by a preponderance of the evidence that the January 2022 IEP was not reasonably calculated to ensure that Student would receive educational benefit at the time that the IEP was developed. Parents’ allegation is dismissed.

#### ***Issue #5***

33. Petitioners allege that LiveStrong House was an appropriate placement for Student.

34. Because the Administrative Law Judge has concluded that Respondent had offered Student a FAPE, the Administrative Law Judge does not address the issue of whether LiveStrong House was an appropriate placement for Student.<sup>209</sup>

#### **CONCLUSION**

Because the evidentiary record does not demonstrate any violation of the IDEA by Respondent and, therefore, no remedies would be fashioned, the Administrative Law Judge does not address Petitioners’ requested remedies. The Administrative Law Judge concludes that Petitioners’ Complaint shall be dismissed.

#### **RULING**

Based on the findings and conclusions above,

**IT IS HEREBY ORDERED** that Petitioners’ Complaint is dismissed in its entirety.

ORDERED this day, June 29, 2023.

---

<sup>209</sup> Furthermore, in response to a Motion for Partial Summary Judgment, the Administrative Law Judge ruled that Parents were not entitled to reimbursement for Student’s placement at LiveStrong House because it is a for-profit entity and Parents placed him there unilaterally.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30

Done this day, June 29, 2023.

Transmitted by either mail, e-mail, or facsimile to:

Lisa Anne Smith  
Clayton R. Kramer  
DeConcini McDonald Yetwin & Lacy, P.C.  
2525 E. Broadway, Suite 200  
Tucson, AZ 85716  
lasmith@dmyl.com  
ckramer@dmyl.com

34

By: OAH Staff

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30