

Providing a Free Appropriate Public Education while Preventing and Addressing Behavioral Crises: Lesson from the Due Process Hearing Front

Description: The essential obligation to IDEA and Section 504 eligible students with disabilities is to provide a free appropriate public education (FAPE). The development and implementation of a student's individualized education program (IEP) is the means by which a FAPE is conferred. It is estimated that 80% of all due process hearings and special education litigation involves FAPE-related issues. The presenter is a professor and a state due process hearing review officer in South Carolina. The purpose of this presentation is to provide practical information from the due process hearing front on actions that special educator administrators should take to ensure that their school-based IEP team members are crafting educationally meaningful and legally sound IEPs, with an emphasis on behavioral programming.

Participant Outcomes:

- (a) Participants will understand the essential components of providing a FAPE in accordance with the IDEA and the U.S. Supreme Court rulings in Board of Education v. Rowley (1982) and Endrew F. v. Douglas County School District (2017),
- (b) Participants will understand how to avoid the procedural and substantive errors that school district make that can lead to losses in due process hearings,
- (c) Participants will understand the critical requirements in developing IEPs and ensuring they are implemented with fidelity.