



TABLE 2.1 (Continued)

Case	Year	Issue	Judicial Decision
<i>Board of Education of the Hendrick Hudson Central School District v. Rowley</i>	1982	Appropriate education	First U.S. Supreme Court interpretation of PL 94–142. Court addressed the issue of what constitutes an “appropriate” education for a student with a hearing impairment making satisfactory educational progress. Ruled that an appropriate education does not necessarily mean an education that will allow for the maximum possible achievement; rather, students must be given a reasonable opportunity to learn. Parents’ request for a sign language interpreter, therefore, was denied. An appropriate education is not synonymous with an optimal educational experience.
<i>Daniel R.R. v. State Board of Education</i>	1989	Class placement	Fifth Circuit Court of Appeals held that a segregated class was an appropriate placement for a student with Down syndrome. Preference for integrated placement viewed as secondary to the need for an appropriate education. Established a two-prong test for determining compliance with the least restrictive environment mandate for students with severe disabilities. First, it must be determined if a pupil can make satisfactory progress and achieve educational benefit in the general education classroom through curriculum modification and the use of supplementary aids and services. Second, it must be determined whether the pupil has been integrated to the maximum extent appropriate. Successful compliance with both parts fulfills a school’s obligation under federal law. Ruling affects least restrictive environment cases in Louisiana, Texas, and Mississippi, but has become a benchmark decision for other jurisdictions as well.
<i>Obert v. Board of Education of the Borough of Clementon School District</i>	1992	Least restrictive environment	Placement in a general education classroom with supplementary aids and services must be offered to a student with disabilities prior to considering more segregated placements. Pupil cannot be excluded from a general education classroom solely because curriculum, services, or other practices would require modification. Excluding a learner from the general education classroom necessitates justification and documentation. Clear judicial preference for educational integration established.
<i>Agostini v. Felton</i>	1997	Provision of services	U.S. Supreme Court reversed a long-standing ruling banning the delivery of publicly funded educational services to students enrolled in private schools. Interpreted to mean that special educators can now provide services to children in parochial schools.
<i>Cedar Rapids Community School District v. Garret F.</i>	1999	Related services	U.S. Supreme Court expanded and clarified the concept of related services. Affirmed that intensive and continuous school health care services necessary for a student to attend school, if not performed by a physician, qualify as related services.
<i>Schaffer v. Weast</i>	2005	Burden of proof	A U.S. Supreme Court ruling addressing the issue of whether the parent(s) or school district bears the burden of proof in a due process hearing. Determined whether the parent(s), acting on behalf of their child, must prove that their child’s individualized education program (IEP) is inappropriate or whether the school district must prove that the IEP is appropriate. Court ruled that the burden of proof is placed upon the party seeking relief.
<i>Arlington Central School District Board of Education v. Murphy</i>	2006	Recovery of fees	U.S. Supreme Court addressed whether or not parents are able to recover the professional fees of an educational consultant (lay advocate) who provided services during legal proceedings. Court ruled that parents are not entitled to reimbursement for the cost of experts because only attorney’s fees are addressed in IDEA.
<i>Winkelman v. Parma City School District</i>	2007	Parental rights	The Supreme Court, by unanimous vote, affirmed the rights of parents to represent their children in IDEA-related court cases. Seen as an expansion of parental involvement and the definition of a free appropriate public education. Interpreted to mean that IDEA conveys enforceable rights to parents as well as their children.
<i>Forest Grove School District v. T.A.</i>	2009	Tuition reimbursement	Parents sought tuition reimbursement from the school district after removing their child who had learning disabilities, attention deficit hyperactivity disorder, and depression. The child was never declared eligible for a special education and never received services. Parents unilaterally enrolled the child in a private school. The Supreme Court found that IDEA authorizes reimbursement for private special education services when a public school fails to provide a free appropriate education and the private school placement is appropriate, regardless of whether the student previously received special education services from the public school.

SOURCE: Adapted from R. Gargiulo and J. Kilgo, *An Introduction to Young Children with Special Needs*, 4th ed. (Belmont, CA: Wadsworth/Cengage Learning, 2014), pp. 29-30.