



November 7, 2024

P&V Approach to Special Education

Livermore Valley Joint
Unified School District

Presented by:

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Founding Partner

Perry & Villarreal, LLP (“P&V”)

Perry & Villarreal, LLP

Who We Are **01**

P&V is founded on a desire to work with school districts and other local educational agencies (“LEAs”) in a personal and professional manner, focusing on the needs of the LEA. We bring a unique perspective & unparalleled understanding of how LEAs operate.

Our Approach **02**

We carefully monitor legal trends and focus on getting to know the LEA, by understanding its goals & vision. From there, we create a custom approach to assist the LEA in meeting its goals. Often, this includes a review of programs, staff training, and office hours.

Ongoing Support **03**

Once the LEA has met its goals, we provide ongoing monitoring and support. This can include office hours on a more periodic basis, annual trainings, and assistance with any complaints received by the LEA.

By the Numbers

OAH case filing data from 2020-2021 through 2023-2024

2020-2021 School Year

Total OAH filings equaled 3,907. Quarter 4 had the most filings.

2022-2023 School Year

Total OAH filings equaled 4,549. Quarter 4 had the most filings.

2021-2022 School Year

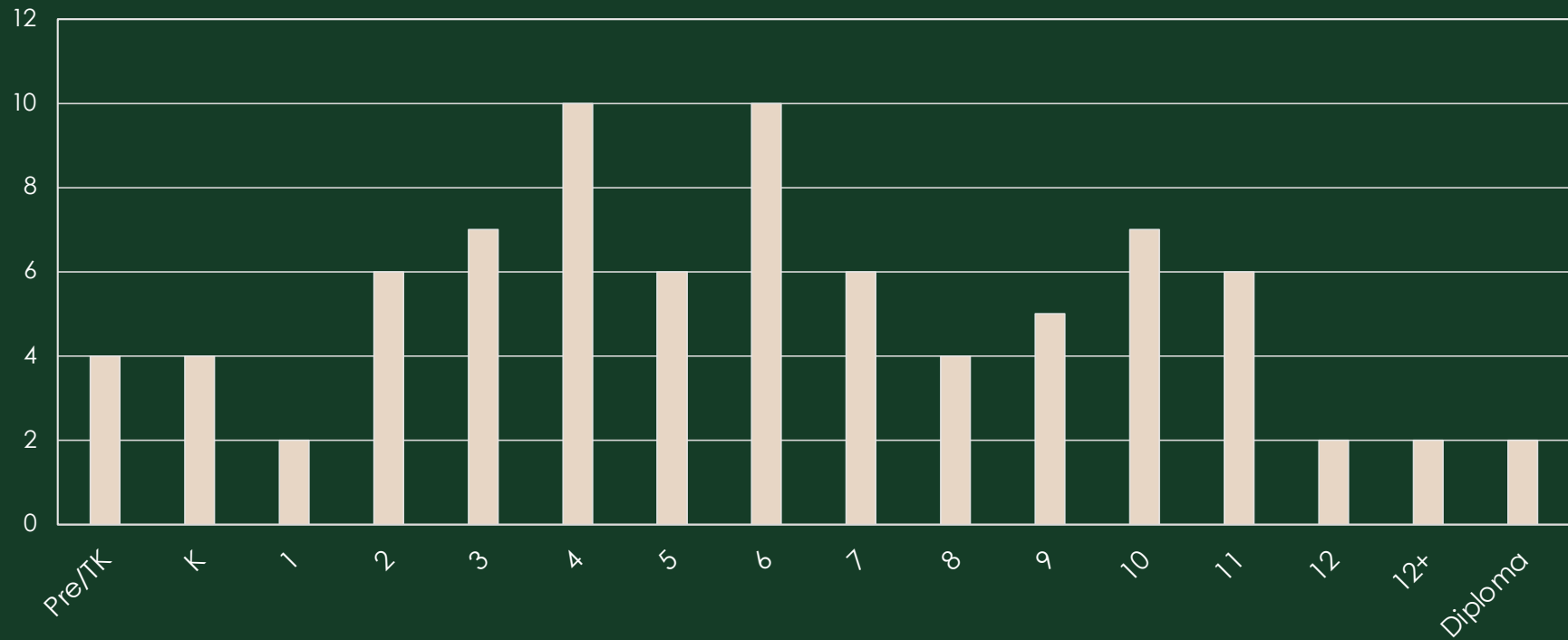
Total OAH filings equaled 4,519. Quarter 4 had the most filings.

2023-20234 School Year

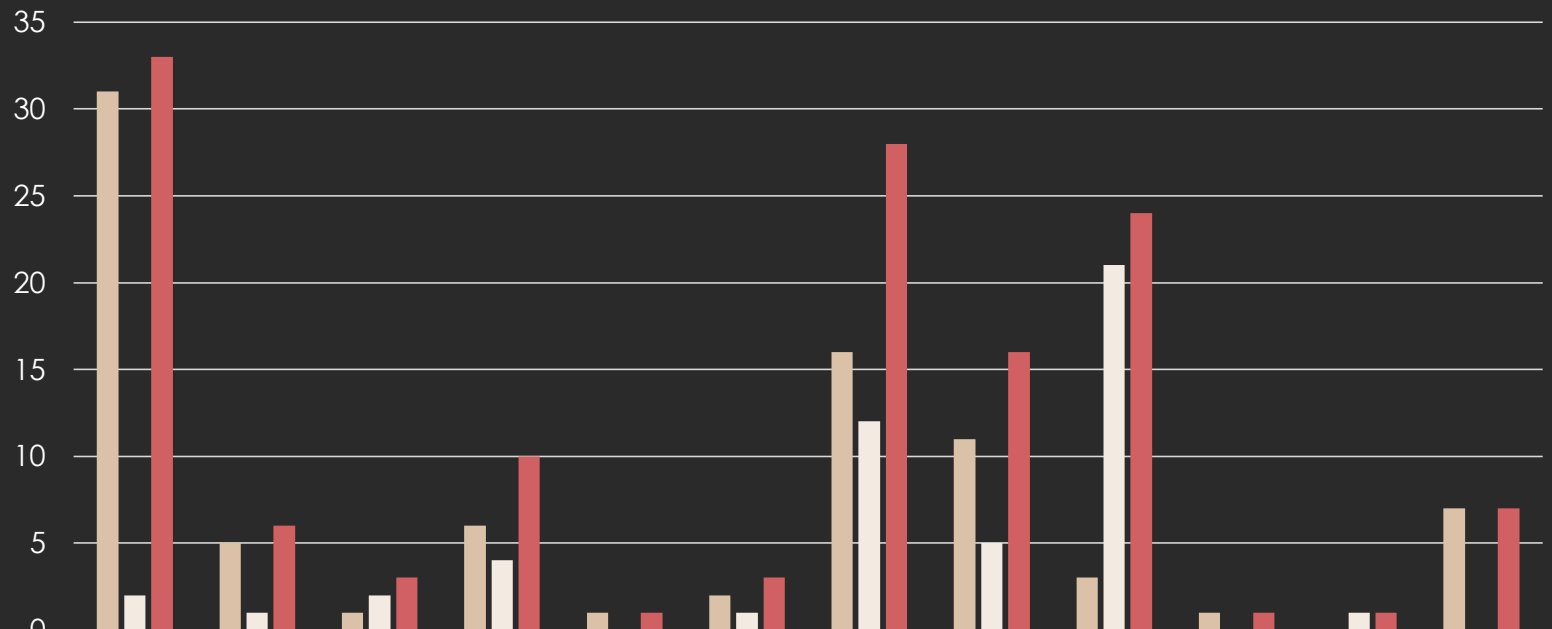
Total OAH filings equaled 4,694. Quarter 4 had the most filings.

Decisions by Grade

The majority of decisions involve preschool to 8th grade students.



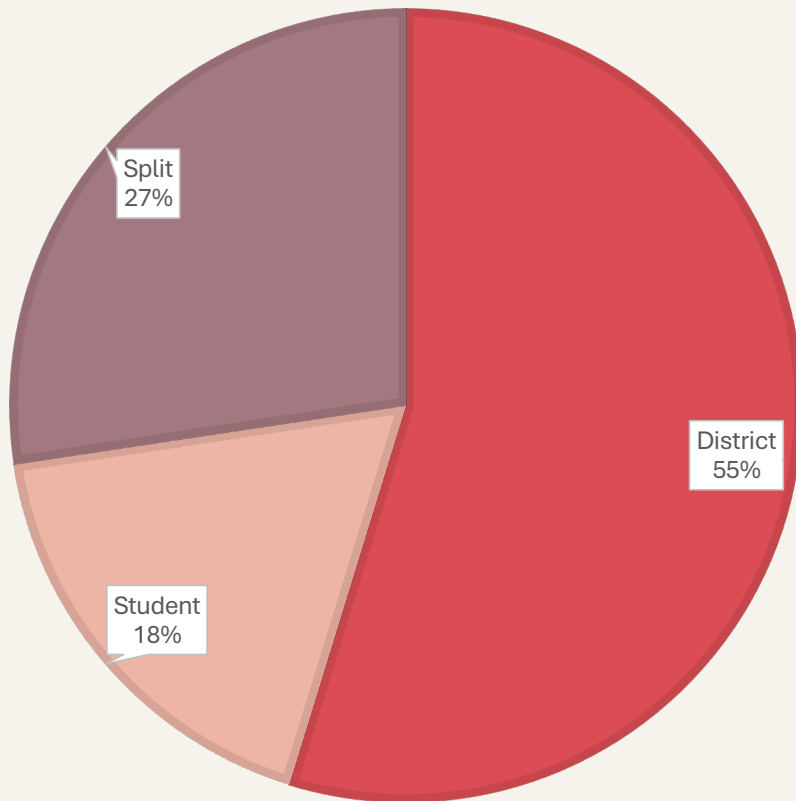
Decisions by Eligibility



	AUT	ED	HI	ID	MD	OI	OHI	SLD	SLI	TBI	VI	Not Eligible
■ Primary Eligibility Category	31	5	1	6	1	2	16	11	3	1		7
■ Secondary Eligibility Category	2	1	2	4		1	12	5	21		1	
■ Aggregate	33	6	3	10	1	3	28	16	24	1	1	7

OVERALL PREVAILING PARTY

■ District ■ Student ■ Split



Who's Winning

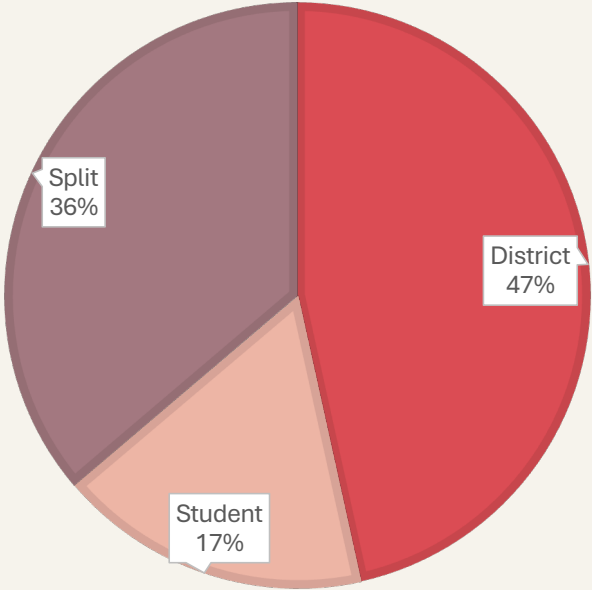
at due process hearing?

Districts prevail at hearing just over half of the time. This makes sense, as a losing case is very likely to be settled prior to hearing. Considering that split decisions can mean a district prevailed on all but one issue, districts prevail on most issues decided by Administrative Law Judges. However, there is more we can learn from the data.

Student Filed vs. District Filed Who's Winning?

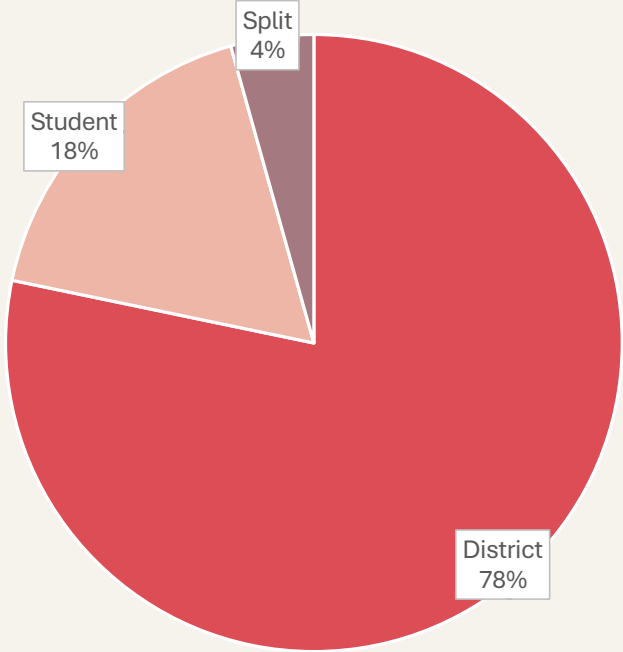
STUDENT FILED CASES

■ District ■ Student ■ Split



DISTRICT FILED CASES

■ District ■ Student ■ Split



OAH CASES

Trends Across the Years

Mediation-Only Filings

- Students file for “mediation-only” with OAH less than 2% of the time.
- 2022-2023 and 2023-2024 school years are seeing that number creep down below 1.2%.

Average Split of Filings

Cases are consistently split: 90% student-filed and 10% district-filed.

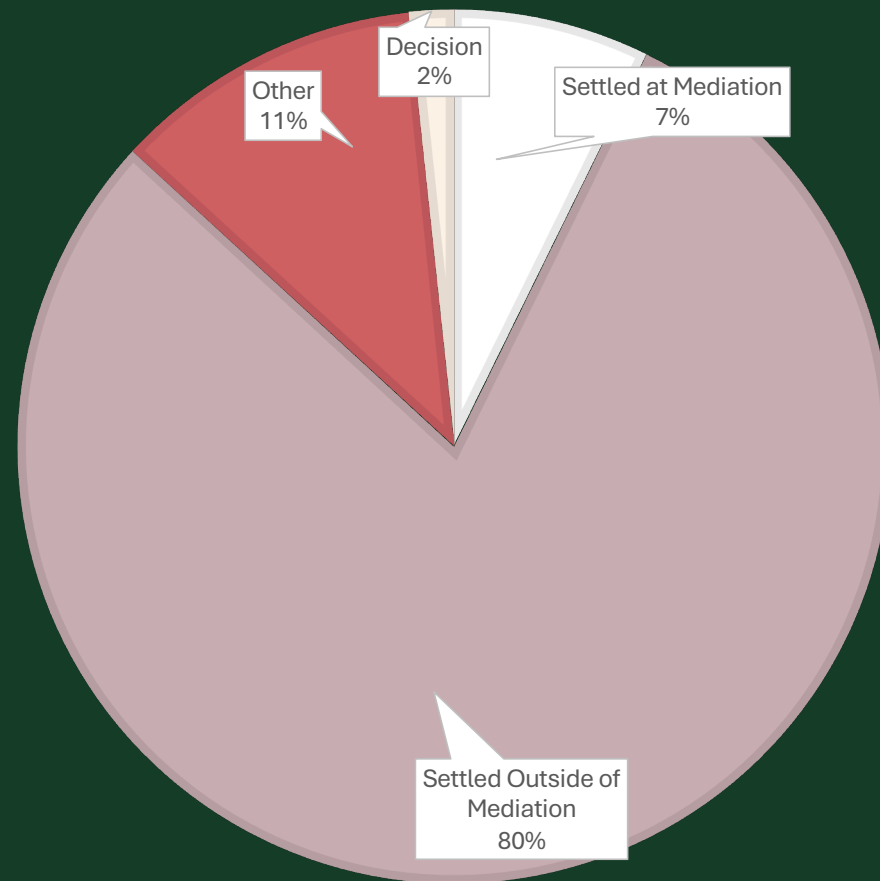
Motions to Dismiss

- 2019-2020 had 24 successful motions to dismiss.
- Successful motions have been trending down to only six (6) successful motions in the 2023-2024 school year (through the 3rd Quarter).

How the 2023-2024 OAH Cases were Resolved

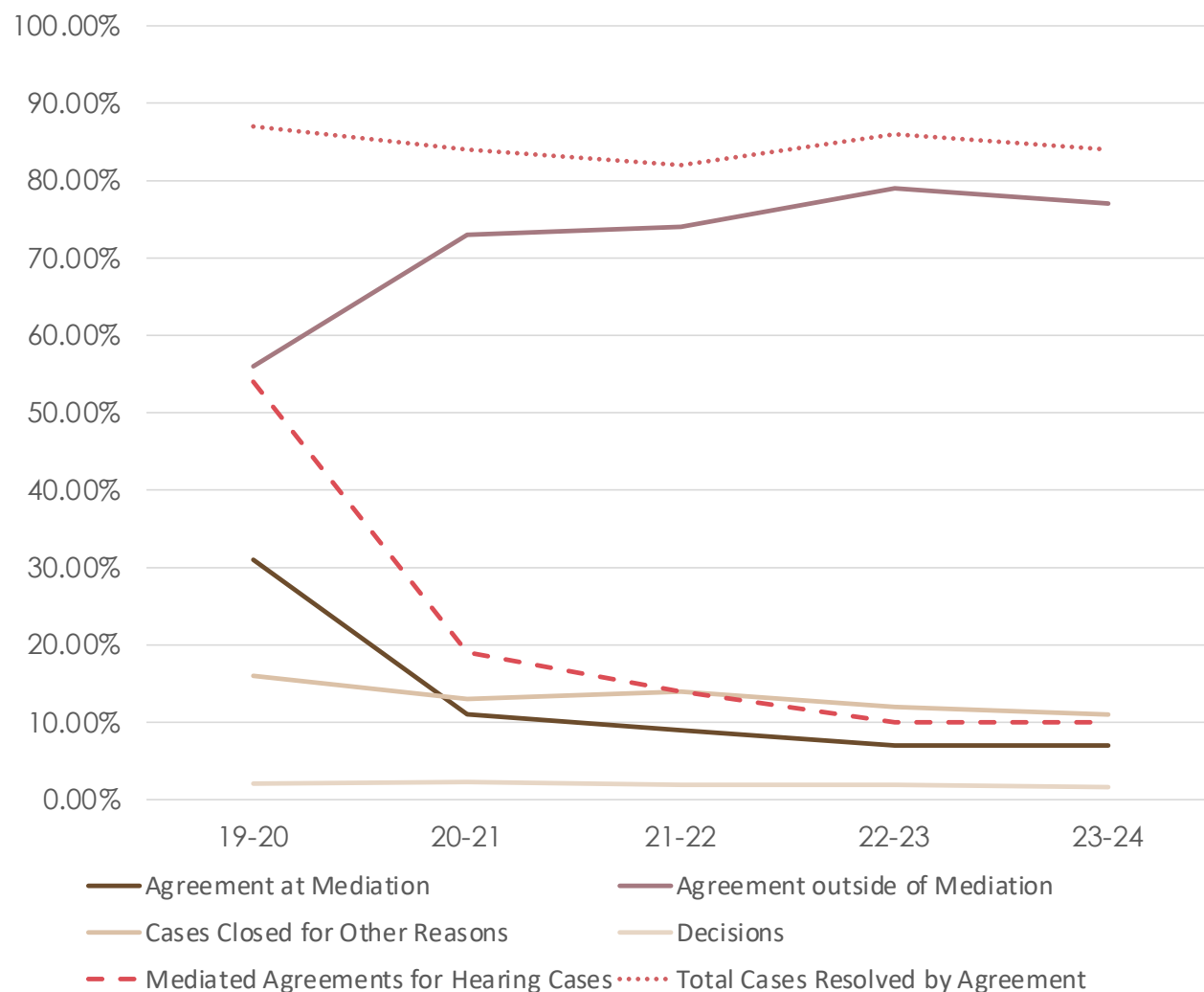
The vast majority of OAH cases were resolved through alternative dispute resolution methods (i.e., mediation and negotiations). Only 2% of cases make it to a final decision, which is consistent with prior years..

- Settled at Mediation
- Settled Outside of Mediation
- Other
- Decision



How OAH Cases are Historically Closed

While the method of resolving a case has shifted in recent years, case resolution via agreement is still strong.



01



Program Review

02



Professional
Development

03



Office Hours &
Ongoing Monitoring

Legal Compliance-

Our Approach

2 Professional Development

We provide custom trainings tied to the LEA's goals and areas of need, focusing on creating legally defensible documents and best practices for all aspects of special education and student matters.

1 Program Review

By reviewing an LEA's unique community, needs, and available resources, P&V can tailor a plan that will ensure the LEA is offering appropriate programming, which ensures legal compliance and student success.

3 Office Hours & Monitoring

Once staff are trained, ongoing review of documents and case management ensures legal compliance.

Case Example

Practical Approach to Case Management



Staffing



Ensure staff know how to facilitate meetings



Know the student



Understand Program Options



Identify possible issues



Know service offerings



Come prepared with work samples/goal progress



Provide draft documents in advance when possible



Train staff

Implementing the Plan

Consent

Placement
Change

Evaluate
Progress





QUESTIONS?

Type something....

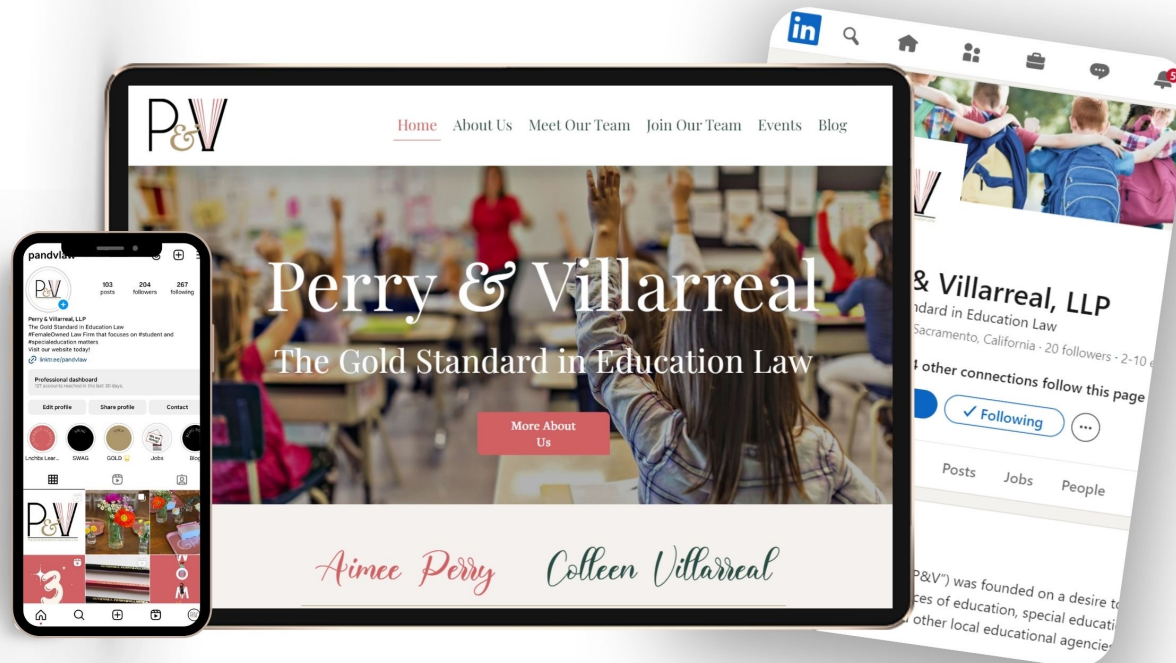
LET'S GET SOCIAL!



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