



Special Education Advocacy | theiecoach.com | (512) 865-1937

---

## Case Study: How a Verbatim Record Won a Case the District Reversed

*An elementary-age student was exited from special education on the strength of her reading progress while her math skills fell roughly two grade levels behind. Four recorded meetings, a state complaint, and an appeal later, she opened the new school year eligible, with an IEP and daily specialized math instruction.*

Shared with the family's permission. The district is not named.

### The Situation

---

A family came to The IEP Coach after their daughter was exited from special education entirely.

She had been served for reading since early elementary school, and she had done well. She met her reading goals. The district treated meeting those goals as the reason to close her file.

The same evaluation that documented her reading progress documented something else. Her math achievement sat in the low range across every math area the district measured: broad mathematics, calculation skills, and problem solving. Her mother raised math at the meeting. The team's written answer was that the student had adequate functioning in that area at that time.

She did not. She was pulled out of core math instruction for remedial help several days a week. Her passing grades came from classroom participation and one-on-one test corrections done with a teacher's help, and she had failed the underlying assessments before those corrections. By the following spring she scored 60 percent on an end-of-year math test written for students two grade levels below her own.

Her mother put it plainly in an email that winter. She had been, in her words, *essentially forced into having the IEP removed*.

### The Problem

---

The district had reclassified a disability as a general education problem, then used general education as the reason never to look again.

When the parent formally requested an evaluation, the district refused in writing. Its stated reason was that it first had to document that general education interventions were insufficient. That is not what the law requires. Federal guidance is explicit that a response-to-intervention framework cannot be used to delay or deny an evaluation when a district has reason to suspect a disability, and this district had years of its own standardized data pointing at one.

So the student stayed in the tiers. More intervention, more pull-out time, more missed core instruction, and a grade book that made all of it look fine.

Then came the part that makes this case worth studying. The team did agree she qualified. At the eligibility meeting, the district representative stated that the team could find her eligible under Other Health Impairment for executive functioning, and directed that an IEP be drafted within ten days.

Ten days later the district reversed itself. A different roster of staff came to the table, most of whom had not attended the earlier meetings and none of whom had taught her. Two new data points were introduced. On the strength of those two points, the district declared her ineligible, over the spoken objections of the two educators in the room who worked with her every day.

That reversal is where most cases die. A parent who was not recording the first meeting has no way to prove the agreement ever happened.

## What Won This Case

- **Every meeting was recorded and transcribed, start to finish.** Four meetings across the school year. When the district's account of what had been decided diverged from what was actually said, there was nothing left to argue about. The state investigator listed all four transcripts among the sixteen documents her findings rested on.
- **The transcripts were crosswalked to the law, not just filed.** Each meeting produced a companion document keying verbatim quotes, with speaker and timestamp, to the specific numbered allegation and regulation each quote supported. An investigator working against a 30-day clock could confirm a point in seconds instead of hunting through hours of audio. Evidence nobody can find is not evidence.
- **The record was built months before there was a case.** The most valuable testimony in the file came from an ordinary staff meeting long before anything was filed, when the math interventionist was asked directly whether her own intervention was enough for this student. She said it was not, and that the student needed more support than she was able to give. That answer, offered casually in a routine meeting, ended up quoted in the state's decision.
- **A verbal denial was converted into a dated document, in the room.** When the district announced the reversal, we asked on the spot for prior written notice stating the denial, and set a deadline for it. The coordinator committed in front of the team. That turned an unappealable conversation into the dated, citable document the entire complaint was built on.
- **We filed fast.** Nine days from the operative denial notice to a filed complaint with five framed issues and a full document list. Most complaints take two months to assemble, and by then the district's earliest decisions have aged out of the one-year lookback window. Filing quickly kept them in play.
- **The district's own paperwork answered the district.** When the district appealed, the response was built almost entirely from the district's own records. Where the appeal told the committee that its staff had never rated the student clinically elevated in any area, we cited the page of the district's own evaluation report recording exactly that rating, at the 97th percentile, in the district's own words. We attached the page, made no claim about anyone's intent, and asked the committee to verify one document.
- **The educators who taught her were put on the record while the room was still recording.** In the meeting where the district reversed itself, the math interventionist said out loud that she was not okay with it and that she supported an IEP, and the classroom teacher said she was not okay with it either. Three educators, including the building principal, followed with written letters of disagreement. Those letters are named in the state's corrective action order.

## Why This Wasn't Luck

---

None of this was improvised. It is the same sequence on every case. Every meeting is recorded and transcribed as a matter of routine, not because a fight is expected. Every transcript is crosswalked while it is fresh, keyed to statute and regulation, so the evidence is organized before anyone decides whether to file.

Every draft document the district sends is reviewed line by line against the district's own record, with each request tied to the page that supports it. The prep for this student's IEP meeting ran eight requests deep, and every one of them cited a page in the district's own evaluation.

Every refusal is pushed into prior written notice, so that a no becomes a document instead of a memory. And when the other side files something, it is checked against its own source material, page by page, before a word of response is written.

That is why this outcome was available. The work was finished before it was needed.

## Why This Case Matters

---

Districts rarely deny a child services by saying no. They do it by moving the child into a category where no is easier to say: this is a general education problem, she is making progress, her grades are fine, the interventions just need more time.

Watch for the specific pattern in this case, because it is common. A child is exited from special education on strength in one area while a real deficit in another is written off as adequate. Tiered intervention becomes the answer to every concern and, at the same time, the reason an evaluation can wait. Participation grades and corrected tests make a struggling student look like a passing one. And a parent is told, meeting after meeting, that the scores are not low enough yet.

Decisions like that do get reversed. They rarely get reversed by arguing harder in the meeting. What moves a state investigator is an organized, primary-source record in which every fact is traceable to a document or a transcript and can be verified in under a minute. If you are walking into a meeting where you expect to be told your child is fine, the most valuable thing you can do is create a record of what is actually said.

This student opened the new school year eligible for special education, with an IEP, 75 minutes a day of specially designed instruction in math, a grade-level math goal, a separate goal for computation, and accommodations built around her working memory and attention. The state's findings of a Child Find violation and a denial of a free appropriate public education stand on the district's record, along with an order to correct the practices that produced them, including written assurance that tiered intervention will not be used to delay an evaluation and that passing grades built on participation do not satisfy a district's obligation to a child.

---

**If your child's plan is not being followed, or you are staring down a denial and do not know what to do next, we can help.**

Request a consultation at [theiecoach.com](https://theiecoach.com) or call (512) 865-1937.