Alvin Independent School District (AISD) v. A.D. (2007)

The case is about AD, a student with ADHD in AISD. He started going to school when he was three years old and qualified for Special Education Services with a speech impairment until he was in third grade. At this time the ARD committee and his parents agreed that he no longer needed the services. He continued to perform well academically in elementary school. However, in 7th grade, his conduct change leading to several suspensions and as a result he was placed in an “At Risk” program. But he managed to pass all his classes. In eighth grade, the death of his brother affected him significantly, his behavior escalated to alcohol abuse and theft of school concession stand. This last incident resulted in 10 day suspension and placement in an alternative education program. While the disciplinary decision was pending, his mother requested Special Education Services.

AISD conducted an evaluation and determine that AD was not eligible for services. The case went to a hearing officer who found AD to be a child with a disability. AISD appealed the decision to a federal district court. The federal court agreed that AD did not need special education. AD’s parents appeal to the U. S. Court of Appeals, fifth circuit. The fifth circuit affirmed the decision that AD was not eligible for Special Education since there was not an educational need.

I found this case very interesting because educational diagnosticians will work with a team of professional and the parents to qualify students for Special Education. However, educational diagnosticians need to be aware that many parents want their kids receiving Special Education services even if there is not an educational need. It will be our job to explain to the parents why students qualify or don’t qualify to Special education.

<http://caselaw.findlaw.com/us-5th-circuit/1466160.html>