[Jefferson County School District](http://www.ca10.uscourts.gov/opinions/11/11-1334.pdf)*[v.](http://www.ca10.uscourts.gov/opinions/11/11-1334.pdf)*[Elizabeth E. (2012)](http://www.ca10.uscourts.gov/opinions/11/11-1334.pdf)

This case is concerning a student with significant learning disabilities and emotional and behavioral issues. Elizabeth attended Hummanex a private school which specializes in the education of children like her. However, in the school year 2007-2008, she struggled academically and socially and by the end of the school year she had not earned enough credits to go to the eleventh grade. The district and her parents settled an agreement where the District agreed to pay tuition at Hummanex for the following school year. During this time Elizabeth behavior deteriorated. So, her parents placed her in an institute for Behavioral Assessment in Utah; six days later, they notified the district of her new placement by e-mail. The district withdrew Elizabeth from the district and it claimed that the parents acted unilaterally without consulting with them to place the child. The parents requested a due process hearing and the probation officer agreed that the school district had not provided FAPE and the parents were entitled for reimbursement. The case went to district court and eventually to the Supreme Court and the ruling was in favor of the parents.

This case is a representation of how important is to be able to create appropriate IEP’s that meet the goals and it is individualized to the student with disabilities. In this case, the district failed to provide FAPE even when they provided a private school which specializes in the education for students with significant learning disabilities and emotional and behavioral issues. Elizabeth was not able to get enough credits with the education provided and the parents made the right decision in finding a place that met her individual needs.

<http://www.ca10.uscourts.gov/opinions/11/11-1334.pdf>