

# Successes

In addition to the favorable hearing decisions Whitted Takiff has received since its inception in 2001 (listed below), the firm has been successful in negotiating favorable services, placements and settlements from school districts throughout Illinois.

Below are some examples of cases which have been settled amicably for our clients prior to the need for litigation:

- A child with a mental illness, not previously found eligible for special education services, required a psychiatric hospitalization. During the pendency of the hospitalization, we worked with the local school district to receive an expedited case study evaluation, eligibility under the Emotionally Disturbed category, and placement at a therapeutic day school for the child.
- While not prior to the need for litigation, after the local school district had rejected all settlement overtures, our firm took a case to due process and after just a half-day of cross examination of school district witnesses, the district succumbed and agreed to fully fund placement for our client at a private day placement for Learning Disabled children.
- A family who had previously been denied 504 eligibility for their high school aged son with ADHD hired us on an advocacy basis. Our advocate negotiated eligibility for a Section 504 Plan, and secured additional services which the child had not previously been receiving.
- A private drug and alcohol treatment facility was starting up its own educational program and wanted recognition by the local regional offices of education as an alternative learning program in order to secure reimbursement for the educational services by children's residential school districts. We helped the agency find

a consultant with administrative expertise in education to help them create this educational program, become compliant with state standards, and then aided the agency in the collection efforts for the costs of these services.

- A child with special education needs was arrested at his school and charged with Class 3 and 4 felonies. Our firm worked with the local school district to increase the special education services he was receiving, as well as to get the criminal charges dropped. After the state's attorney refused to drop the charges (despite the probation department's recommendation to drop the charges and that the child was unfit to stand trial) a judge finally ordered the case dismissed after reviewing the evidence we aided in gathering.
- A child previously found eligible for special education services under the Emotionally Disturbed category was not doing well in her therapeutic day placement. We worked with the parents to successfully secure an Individual Care Grant through the Illinois Department of Human services to cover the room and board costs of a residential care facility, which then secured the educational costs of the placement through their local school district.
- A private psychiatrist was notified of a complaint made against them through the Illinois Department of Financial and Professional Regulation. We represented the psychiatrist throughout the IDFPR investigation process, preventing the matter from ever getting to a formal administrative hearing, and resulting in a finding that the complaint was unsubstantiated.

## **FAVORABLE DUE PROCESS HEARING DECISIONS**

### 1. [D.M. v Township High School District No. 214](#)

This case involved a high school student with ADHD and

EDs who was expelled from his high school because his IEP team found that his behaviors were not a manifestation of his disabilities. The parents appealed the manifestation determination through an expedited due process hearing, and WT prevailed allowing the child to be returned back to his mainstream high school placement.

2. [G.S. v Chicago Public School District No. 299](#)

This case involved an 8th grade student diagnosed with Klinefelter's Syndrome, a rare genetic disorder which impairs language abilities, requesting placement at a private day school for children with Learning Disabilities from his school district.

3. [J.I. v Chicago Public School District No. 299](#)

Please see the attached [case summary](#) for details about this case.

4. [S.S. v North Shore School District No. 112](#)

We represented the school district in this case involving a 7-year-old ED child whose parents wished for him to be immediately mainstreamed from a therapeutic day school back into the regular education environment.

5. [L.R. v Township High School District No. 211](#)

Please see the attached [memorandum](#) for details about this case.

[Federal Court Decision](#)

[7th Circuit Appellate Decision](#)

6. [S.V. v Elgin School District U-46](#)

This case involved a 16-year-old girl with severe emotional disabilities requesting a therapeutic residential school placement from her school district.

7. [W.F. v Flossmoor School District No. 161](#)

This case involved a 4-year-old boy with a Cochlear Implant requesting an oral/aural education program at a private day school placement from his school district.

8. [K.E. v Oakwood Community Unit School District No. 76](#)

This case involved a 16-year-old girl with severe emotional disabilities requesting a therapeutic

residential school placement from her school district.

9. [A.L. v Evanston-Skokie School District No. 65](#)

This case involved a 12-year-old boy with severe learning disabilities and physical disabilities requesting a private day school placement from his school district.