

Case Study: Failure to Provide Speech-Language Services



From: The Data King

Failure to Provide Speech-Language Services (Compensatory Services Ordered)



- In a **recent administrative decision in Maryland**, a hearing officer found that the district **failed to provide required speech-language therapy services specified in the student's IEP**.
- Because the services were not delivered as required, the administrative law judge ruled that the student was entitled to **compensatory speech-language therapy hours to make up for the missed services**.

What Went Wrong?



- The student's IEP required speech therapy services.
- The services were not consistently delivered.
- The failure was considered a denial of **Free Appropriate Public Education (FAPE)**.

Typical financial impact

- Compensatory therapy hours (often **20–200+ hours** depending on duration)
- Parent attorney fees (can range **\$15k–\$75k+**)
- District legal defense costs

District-Wide Noncompliance With Speech Services (Bridgeport, CT)



- A **2025 state complaint investigation** found that students with disabilities were **not receiving required services such as speech-language therapy due to staffing shortages and service delivery failures.**
- The district was required to provide **compensatory education services and corrective actions** for affected students.
- One example in the complaint described a student who **missed almost an entire year of required speech therapy services**, leading to communication difficulties and behavioral escalation.
- Officials warned that resolving these violations could cost the district **millions of dollars in compensatory services.**

Important Insight



In due process decisions, the ruling almost always states:
“The district failed to implement the IEP.”

Even if the original issue involved:

- missed speech therapy minutes
- inaccurate progress data
- incorrect evaluation or eligibility decision
- poorly written goals

Under **IDEA**, the **school district—not the individual therapist—is legally responsible.**

Typical Cost Range From Due Process Cases



Based on IDEA litigation data and state case summaries:

Expense	Typical Range
District attorney fees	\$20,000 – \$100,000
Parent attorney reimbursement (if parents prevail)	\$25,000 – \$120,000
Compensatory therapy services	\$5,000 – \$60,000+
Independent evaluations	\$2,000 – \$10,000

Total exposure in some cases can exceed **\$150,000 for a single student dispute.**

Final point

Key Lesson for Districts

Most speech-related litigation comes from three issues:

1. **Services not delivered as written**
2. **Speech goals not measurable or progress not documented**
3. **Evaluation errors or delays**

The best protection is **strong IEP documentation and service tracking systems.**





Anu Upadhyaya

Experience

Special Education Teacher:
Self-Contained to Full Inclusion

Special Education
Department Chair

Building Level
Administrator

Special Education
Director

VDOE Monitoring
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About Me:

Anu has a vast array of experience from both private and public schools as a special education teacher, building level administrator and central office director. He has presented at division level as well as on the state and federal level. He has a passion for helping students with disabilities be successful. When he worked for the Virginia Department of Education as a data analyst and monitoring specialist he had the opportunity to visit 70 school divisions in the state of Virginia to evaluate the special education program for effectiveness. He loves to dig into the data and connect the dots to see the big picture on ensuring compliance and best practices. Solving puzzles is a challenge he is always ready to tackle.

Thanks!

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Maybe your life purpose isn't supposed to be a thrill-seeking narrative. What if you're meant to be the sunshine to someone's stormy day? Or the voice of clarity to a frantic mind? You don't have to be a superhero to save the world.

