**FIRAC Format**

***FACTS***

In this section, you will discuss the relevant facts, including but not limited to:

* State the students’ age, grade, disability.
* Describe the student’s educational background.
* Describe the program, placement and services specific in the IEP.
* Explain what the school has offered and what progress student made.
* Explain what parent’s are seeking.
* Explain what happened in the judicial process, including the outcome of any appeals.

***ISSUE***

In this section, you will identify the core questions at issue in this case. What are the legal issues that need to be decided? You may explain the issue in one sentence, or you may need to explain the issue in subparts. Examples include:

* The core issue in this case is whether or not the district offered and provided Mia an educational program that comports with the FAPE standard, given her limited progress toward her annual IEP goals.
* In order to understand whether or not the district offered FAPE to Mia, it is necessary to analyze two critical issues. First, did the school district comply with the procedural requirements of the IDEA? Second, did the school district provide Mia with an educational program designed to allow her the opportunity to obtain meaningful education benefit?
* This case calls into question two primary issues: (1) whether or not the school district satisfied its child find obligation when it assessed Mia in the areas of intellectual ability and academics; and (2) whether or not the FAPE standard required the school district to offer Mia a nonpublic school placement, instead of a special day class placement.

***RULE***

In this section, you will state the rules of law that apply to the facts and issues at hand. This includes discussing the applicable federal and/or state statute and/or regulations, as well as case law:

* Discuss the statutory requirements, per the IDEA and/or California Education Code, and cite to same.
  + Example: Before any action is taken with respect to the initial placement of a student in special education, state law requires that an individual assessment of the student’s educational needs shall be conducted, by qualified persons, in accordance with certain requirements. Ed. Code 56320.
* Discuss the applicable case law, including prior cases that have addressed the issues at hand.
  + Example: Under the Individuals With Disabilities Education Act (“IDEA”), each state is required to provide a free, appropriate public education (“FAPE”) to students who meet the IDEA’s requirements to be determined eligible for special education. 20 U.S.C. 1412(l). The United States Supreme Court first explained what a school district must do in order to meet the IDEA’s mandate of providing students with disabilities a FAPE. Specifically, FAPE is defined as an educational program, designed to meet the unique needs of an individual and allow the opportunity for educational benefit. *Hendrick Hudson Central School District v. Rowley* (1982) 458 U.S. 176 (“*Rowley*”).

***ANALYSIS***

In this section, you will discuss the facts, as applied to the rules of law, and explain how the facts do or do not result in a certain outcome, based upon the governing law. This will be the bulk of your paper, where you will demonstrate your ability to apply to facts to the law, and present arguments for and against the issue(s) at hand. For example:

* Considering the facts at issues in this case, and applying them to the *Rowley* standard for FAPE, it is clear that the school district failed to meet its obligations under the IDEA. There are 3 main reasons to support this claim. First, … [***DISCUSS FURTHER]***
* In this case, it is clear that the school district satisfied its obligation to make FAPE available to Mia. Indeed, the facts of the *Rowley* case are very similar to the facts at issue in this case. Specifically, in *Rowley*, Amy was doing quite well in lass, and progressing from grade to grade, with clear evidence that she was learning and performing well in all academic areas. Similarly, in this case, Mia is making appropriate progress in her classes. Her academic record shows that she is learning, as she has a 3.0 grade point average, and is earning average and above average grades in all of her classes. [***DISCUSS FURTHER***]

***CONCLUSION***

In this section, you will state the overall conclusion regarding the issues. In stating the final “answers” to the issues/questions presented, also be sure to summarize the main points to support the conclusion.

***CITATIONS***

Throughout your paper, be sure to cite to federal and state statutes and regulations, as well as to case law. You **must** cite to all sources used, and **must cite** to at least 4 cases, as well as the applicable federal or state statutes and/or regulations.

Federal Statute/Regulations: 20 U.S.C. 1412(l). or 34 C.F.R 300.344.

State Statute: Ed. Code 56320.

Case Law: *Hendrick Hudson Central School District v. Rowley* (1982) 458 U.S. 176 (“*Rowley*”).