

Mark Hartmann fonds, 1982-2007, n.d.

RG 791

Brock University Archives

Creator: Hartmann family

Extent: 3 metres of textual records (9 boxes)
33 videocassettes
31 DVDs
4 audiocassettes
1 USB drive

Abstract: Fonds contains material related to Mark Hartmann, an autistic individual, and a legal challenge for his inclusion in a regular classroom in Virginia in the mid-1990s. Mark was in Grade 3 when the legal proceedings began. The case was drawn out for many years and reached the Supreme Court of the United States in 1997. The Supreme Court declined to hear the case and the Hartmanns ultimately lost their legal battle, however, they relocated Mark to a different school district in Virginia where he was successfully included in a regular classroom.

Materials: Correspondence; legal documents; school documents such as completed assignments, progress updates, and education plans; physical and mental evaluations; news clippings; videocassettes and DVDs

Repository: Brock University Archives

Finding aid: Chantal Cameron

Last updated: August 2022

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Preferred citation: RG 791, Mark Hartman fonds, 1982-2007, n.d., Brock University Archives.

Acquisition info.: Material was donated by Roxana and Joseph Hartmann in 2022.

Scope and Content

Fonds contains material related to Mark Hartmann, an autistic individual, and a legal challenge for his inclusion in a regular classroom in Virginia in the mid-1990s. Mark was in Grade 3 when the legal proceedings began. The case was drawn out for many years and reached the Supreme Court of the United States in 1997. The Supreme Court declined to hear the case and the Hartmanns ultimately lost their legal battle, however, they relocated Mark to a different school district in Virginia where he was successfully included in a regular classroom.

Most of the material is legal documents and education documents. The legal documents include court proceedings, decisions, transcripts, and exhibits. The education documents include Mark's schoolwork, progress reports, and Individualized Education Plans (IEP). Other materials include correspondence, news clippings, video and audio cassettes, DVDs, and a USB drive.

Materials in each file were kept in their original order. In some cases, files contained multiple types of material. In this case, they were placed in the category that fit the majority of material within the file. For example, school worksheets with a report card within the folder would be filed with "schoolwork" instead of "evaluations", but the report card would be noted in the description of the file contents.

Administrative History

Mark Hartmann was born on August 21, 1985. In 1988, at the age of 3, he was diagnosed with autism. Mark's parents, Joseph and Roxana Hartmann, spent a great deal of time learning about the disorder. They discovered that inclusion in education was important for children with autism. Inclusion helped children with autism learn basic skills and better prepared them to live in society. Accordingly, the Hartmanns sought educational opportunities for Mark that would place him in an inclusive setting. He attended Grade 1 at Butterfield Elementary School in Lombard, Illinois, where he was successfully included in a Grade 1 classroom. The following year the Hartmanns relocated to Ashburn, Virginia because of a work transfer.

Despite a great deal of planning and preparation, Mark's year in Grade 2 at Ashburn Elementary School in Virginia was not a success. The Hartmanns felt that Mark was not receiving the necessary supports from school administrators, and that school staff had not received adequate training on working with children with autism. The Hartmanns made continued efforts to work with the school to find solutions, but the Loudoun County School Board initiated a Due

Process suit against the Hartmanns in 1994 that would remove Mark from the inclusive classroom and place him in a segregated classroom for children with autism. This was the beginning of several years of litigation between the Hartmanns and the Loudoun County School Board.

The hearing officer in the Due Process hearing sided with the School Board and ordered that Mark be placed in a segregated classroom. The Hartmanns appealed this decision and in November 1996 Judge Leonie Brinkema ruled in favour of the Hartmanns and contradicted earlier findings. She noted that Mark received significant educational benefits in a regular classroom setting with the help of an aide and adapted curriculum, and was not more disruptive than his peers when properly managed. This would be the only legal victory that the Hartmanns achieved. Legal proceedings continued as further appeals were filed. The case ultimately ended in the United States Supreme Court in 1997, although the Court declined to hear the case. The case was highly publicized and received national news coverage, drawing the public's attention to the issue of inclusive education and the rights of the disabled. The Hartmanns received support from many advocates within the disability and educational communities. When the Loudoun County School Board appealed Judge Brinkema's decision, 18 organizations, including the Department of Education and the Department of Justice, filed *Amicus Curiae* (friends of the court) briefs in support of Judge Brinkema's decision.

While the legal proceedings continued over the course of several years, the Hartmanns remained committed to providing Mark with an inclusive education. Unable to do this within the school district they resided in, Roxana relocated with Mark to Blacksburg, Virginia, 230 miles away from their family home in Ashburn. The Montgomery County Public School Board provided Mark with the inclusive education that the Hartmanns were seeking and he successfully continued his education there until his graduation from high school in 2004. After his graduation, Mark attended the University of Virginia Tech as a participant in the on-campus transition program between high school and the workplace. He took a variety of courses at the College and earned a B+ average. Although Mark is non-verbal and uses augmentative communication to express himself, he was able to successfully complete his education in an inclusive setting, has had several jobs, and has been featured as a self-advocate and presenter at conferences on disabilities. In 2010 Roxana and Joseph Hartmann wrote a book about their experience titled *A Live Controversy: a story of autism and a family's determination*.

Organization

The fonds was organized into five series:

Series I: Correspondence, 1993-2002

Series II: Legal Documents, 1982-1998, n.d.

Series III: School Documents, 1984-2007, n.d.

Sub-series A: Mark's schoolwork, 1991-2007, n.d.

Sub-series B: Progress Reports, Evaluations & IEPs, 1984- 2006, n.d.

Sub-series C: Notebooks with daily communication between school staff and Mark's parents, 1988-2006

Series IV: News clippings, articles, and books, 1992-2010

Series V: Audiovisual material, 1990-2004, n.d.

Sub-series A: Audiocassettes, 1995, n.d.

Sub-series B: USB Drive, 1990-1999, n.d.

Sub-series C: Videocassettes, 1990-2004, n.d.

Sub-series D: DVDs, 1990-2004, n.d.

Inventory

Series I: Correspondence, 1993-2002

- 1.1 1994 Due Process. Contains a letter by Heidi Lawyer written in response to the article on Mark Hartmann published in People magazine, of which a small excerpt was published in the magazine, November 8, 1994. The letter is addressed to Connie Street and members of the Loudoun County School Board, 1994. Also includes a press release titled *The Facts of the DeVries Case* and a news clipping from the Washington Post on Mark Hartmann.
- 1.2 Correspondence, January-July 1994. Includes a trial preparation memo from the Hartmann's attorney, Gerard Rugel; a letter to the Hartmann's from Nancy McBride, hearing officer for the due process hearing initiated by the school system; letters from the director of special education with Loudoun County Public Schools; evaluations of Mark Hartmann's progress by his teachers; letter to the Hartmann's from Richard Berry, special education supervisor, re: summer education services for Mark Hartmann; a letter from Jamie Ruppman, educational advocate, to the director of special education with Loudoun County Schools re: documents related to Mark's IEP and assessments; a letter from the principal of Ashburn Elementary Schools to the Hartmanns re: visitors to the classroom to observe Mark; an annual report for Mark Hartmann for the 1993-94 school year at Ashburn Elementary School; a memo from the Hartmanns and Jamie Ruppman asking that they be allowed to visit and observe other Loudoun County Public Schools serving youngsters with disabilities so that they might be able to find a suitable place for Mark; a letter from the Hartmanns to the directory special education with Loudoun County Schools asking for records pertaining to the special education services Mark receives at the school; a letter to the Hartmanns from Edward Davis re: a meeting to discuss Mark's IEP (individualized education program); a copy of Mark's IEP; a narrative

report card for the third quarter grading period for Mark; a letter by the Hartmanns to the superintendent of Loudoun County Public Schools expressing concern for unresolved issues related to Mark's IEP and training for Mark's aide and teacher; a letter from the principal of Ashburn Elementary School, making inquiries about a visit from the inclusion coordinator from Montgomery County; a letter from the Hartmanns to the directory of special education at Loudoun County Schools re: an adaptive PE teacher for Mark and an upcoming IEP meeting; a narrative report card for Mark for the second quarter grading period; a letter to the Hartmanns from the director of special education at Loudoun County Schools re: the report of the Eligibility Committee which recommended that Mark continue in his current placement (January 24, 1994); an occupational therapy report from Loudoun County Public Schools; and a narrative report card for Mark for the first quarter grading period.

- 1.3 Correspondence, 1994-2000. Includes a controversial letter to the editor published in the Roanoke Times stating that learning-challenged kids should not be in regular classrooms; a list of supporting documents (selected examples of press coverage relating to the Hartmann court action); a 7-page letter to the principal of Ashburn Elementary School reflecting on the situation with Mark (March 19, 1994); a first quarter progress report for Mark Hartmann prepared by Loudoun County School personnel (1994); letter from the Hartmanns to parents who support Educational Advancement for Disabled Children asking for support for Mark's case (n.d.); a letter for support for the Hartmanns from Judy Bailey, general manager of AccuTek Assemblies Inc.; a press release announcing the verdict of Judge Leonie Brinkema in favour of the Hartmanns (November 1996); a brief for Congress by Joseph Hartmann (2000); notes by Roxana Hartmann concerning Mark's experience with Loudoun County Schools; correspondence re: a draft of an order granting motion for leave to file a brief as Amici Curiae on behalf of a number of organizations; a letter to Kathleen Mehfoud from the director of special education for Montgomery County Public Schools, clarifying the County's policy on inclusion after publication of an article in USA Today; an article titled *Why Parents Go to Hearing* examining the Hartmann v. Loudoun County Board of Education case by S. James Rosenfeld; an article about Mark's experiences written by a friend; a letter from Lou Brown, professor at the University of Wisconsin, to Judge Brinkema, thanking her for her judgement in the Hartmann case; nomination documents for the Hartmanns as 1999 Parents of the Year Award (ASA); excerpts from Judge Brinkema's decision in the Hartmann case; a Bill of Complaint, County School Board of Montgomery County (petitioner) v. the Hartmanns (respondents), January 27, 1995; a four-page summary of the case signed by the Hartmanns (February 13, 1995); a case study of the Hartmann case titled *Educating Loudoun County* by Russell Fleenor, Patti Talbot, and Christopher Walter (April 7, 1997); and a letter from the Superintendent of Schools for Montgomery County Public Schools, thanking her for her positive remarks about school staff (June 5, 1997).

- 1.4 News clippings & correspondence, 1993-1998, n.d. Contains news clippings about Mark Hartmann and his family's battle to have him included in a regular classroom, 1994, n.d.; letters of support for the Hartmanns (1995); correspondence to the director of special education services at Belle Willard Administrative Center, Fairfax, Virginia re: planning for educational services for Mark; notice of an IEP meeting to the Hartmanns from Fairfax County Public Schools (April-May 1993); correspondence with the Program Specialist with the Dept. of Student Services and Special Education, Fairfax, Virginia, re: establishing an educational program for Mark (Feb.-March 1993); letter to the Hartmanns from the Superintendent of Montgomery County Public Schools, re: the Hartmann's residency and Mark's eligibility to enroll in a Montgomery County Public School, January 26, 1995); Bill of Complaint in the Circuit Court of the County of Montgomery, County School Board of Montgomery County (petitioner) v. Roxana and Joseph Hartmann (respondents), with a letter from the Hartmanns explaining the circumstances that drove them to switch Mark to a Montgomery County School, January 30, 1995; Bill of Complaint in the Circuit Court of the County of Montgomery, County School Board of Montgomery County (petitioner) v. Roxana and Joseph Hartman (respondents); Memorandum in support of Motion for Stay, in the U.S. District Court for the Eastern District of Virginia, Alexandria Division, Mark Hartmann & his parents (plaintiffs) v. Loudoun County Board of Education (defendant), December 1996; correspondence re: Mark's enrollment in a summer program for school services with Ashburn Elementary School and his subsequent denial of service (1994); a letter by Roxana Hartmann giving an update on Mark's situation and asking for help in finding a Cannon communicator for him (March 24, 1997); a letter from the Director of Special Education, Montgomery County Public Schools, to Kathleen Mehfoud, clarifying the programs offered to students with disabilities at Montgomery Schools; and correspondence from Fairfax County Public Schools re: school services and a meeting to develop an IEP for Mark, 1993.
- 1.5 Correspondence, 2002. Contains a letter to the Office of the Vice President, from Roxana Hartmann, expressing appreciation for President George Bush's signing of the Education Bill and asking if the First Lady would be the Keynote Speaker at the annual conference of the Roanoke Chapter of the Autism Society of America, January 25, 2002.

Series II: Legal Documents, 1982-1998, n.d.

- 1.6 *Changing Directions in Special Education Law, 1993-1994.* Reed Martin of Martin, Eason, Freed & Overath, Austin Texas.
- 1.7 Due Process Hearing, Virginia Department of Education (Division of Special Education, Administration and Finance) re: Mark Hartman, August 15, 1994. Proceedings of the due process hearing prepared by Maureen McMahon Reporting Inc. The document is 272 pages.

- 1.8 Transcript of a due process hearing before Nancy McBride (hearing officer) re: Mark Hartmann, September 26, 1994 (350 pages). The document contains testimony from Carolyn Clement, Laurie McDonald, and Frank Johnson.
- 1.9 Transcript of a due process hearing before Nancy McBride (hearing officer) re: Mark Hartmann, September 27, 1994 (359 pages). The document contains testimony from Denise Fatz, Virginia McCollough, Jamie Ellen Ruppman, and Joseph Hartmann.
- 1.10 Transcript of a due process hearing before Nancy McBride (hearing officer) re: Mark Hartmann, September 28, 1994 (239 pages). The document contains testimony from Kenna Colley, Jamie Ruppman, Cathy Thornton, and Mickey Smith Beckler.
- 1.11 Transcript of a due process hearing before Nancy McBride (hearing officer) re: Mark Hartmann, October 27, 1994 (351 pages). The document contains testimony from Anne Malatchi, Audrey Russo, Roxana Hartmann, Mary Kearney, Frank Johnson, and Ned Waterhouse.
- 1.12 Exhibits, 1985-1994, n.d. Contains documents that were used as exhibits in a legal proceeding. Each document is numbered. Documents include a conference report from Butterfield Elementary School (Lombard Elementary School District), 1985; a document on the present level of functioning for Mark Hartmann (1994); an educational consultant's report by Janie Ruppman (1993); Mark's test results from the TONI-2 (1994); a chart of Mark's activities and behaviors with comments (October 1994); a job description for an inclusion facilitator; a document on the role and goals of a consultant (inclusion coordinator); forms to assess behavior and communication; a handbook on inclusive education from Edward Smith School, Syracuse City School District (1989); an interview with Felix Billingsley published in the newsletter of the Autism Society of America newsletter (winter 1990-91); a revised Hartmann witness list; a list of evidence of Mark Hartmann in a Special Education appeal, Loudoun County Public Schools (appellants) v. Joseph & Roxana Hartmann (respondent); a document on the MAPS system for including children with disabilities in regular schools and classes; a resume for Roxana Hartmann describing her experience and work in the field of autism; a proposal for a one year technical assistance and in-service training plan for supporting the inclusive education of Mark Hartmann (1994); and resumes for various education workers and therapists.
- 1.13 Due Process Hearing Decision re: Mark Hartmann, December 14, 1994. A large package of loosely bound documents. Includes a 22-page typewritten decision regarding the appropriate school program and placement for Mark Hartmann. The decision is followed by a wealth of supplementary information including correspondence with editors of Hispanic American newspapers; the principal of Ashburn Elementary School; a note from Roxana Hartmann requesting to observe her son Mark in the classroom; a note from a music specialist, confirming Mark's participation in the third grade musical; letters to the

principal of Ashburn Elementary School from Joseph and Roxana Hartmann re: procedures to be followed when Mark is in distress and ongoing education of autism for school staff; letter of support from the Tucson chapter of The Arc; a draft outline of operating procedures to be developed in responding to distress or behavioral outbursts; a reply brief by the Hartmanns to a special education appeal between Loudoun County Public Schools and the Hartmanns (19 pages); Loudoun County Public Schools' Rebuttal Memorandum re: Mark Hartmann for local due process hearing (13 pages); Memorandum on behalf of Loudoun County Public Schools re: Mark Hartmann for a local administrative hearing (43 pages); post-hearing brief of Joseph and Roxanna Hartmann in the case of Loudoun County Public Schools versus Joseph and Roxanna Hartmann (27 pages); selected comments from an interview with the Superintendent of Loudoun County Public Schools; a letter to the principal of Ashburn Elementary School requesting technology training for Mark's teacher's aide; letter to People Magazine from a student who was in the same Grade 1 class as Mark Hartmann; a series of correspondence re: Mark's speech and language therapist at Ashburn Elementary School and the use of Facilitated Communication; a report of Mark's behavior in his third grade classroom; correspondence between the Hartmanns and Mark's speech and language therapist re: low tone of Mark's tongue muscles; a memorandum re: Mark's transition into 3rd grade at Ashburn Elementary School; a letter to President Clinton from the Hartmanns re: support for special education programs; an occupational therapy evaluation for Mark Hartmann; respondent's pre-hearing brief by Joseph and Roxanna Hartmann (8 pages); a trial preparation memo (4 pages); classroom observation of Mark by several different education specialists; correspondence re: a continuance after the Loudoun County Public Schools initiated a due process appeal; a letter and survey sent to the parents of peers in Mark's class asking for their feedback; a letter from the Director of Special Education at Loudoun County Schools informing the Hartmanns that the due process appeal re: Mark's special education placement was initiated; and a letter from Reta Lewis, Department for rights of Virginians with Disabilities to Roxana Hartmann, offering her aid to settle a dispute.

- 1.14 Legal documents, 1982-1997. Contains a document titled *Educating Loudoun County: A case study. Hartmann v. Loudoun County Board of Education* by Russell Fleenor, Patti Talbot, and Christopher Walter (March 24, 1997); an addendum to Brief of Appellant in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents Roxana and Joseph Hartmann (appellee), March 25, 1997.; a memorandum opinion in the United States District Court for the Eastern District of Virginia, Alexandria Division, Mark Hartmann and his parents Roxana and Joseph (plaintiffs) v. Loudoun County Board of Education (defendant), in a civil action (November 1996); several documents in a bundle labelled "interrogatories and answers" with a cover letter from the Hartmann's lawyer Gerard Rugel (May 1996); plaintiff's index of exhibits submitted by Joseph and Roxana Hartmann; a list of witnesses

expected to be called for the plaintiffs (the Hartmanns) in a civil action between the Hartmanns and the Loudoun County Board of Education (1995); Certiorari to the United States Court of Appeals for the second circuit, Board of Education of the Hendrick Hudson Central School District, Westchester County, et al. v. Rowley, by her parents (1982); respondent's post-hearing brief in the special education appeal of Loudoun County Public Schools (appellants) v. Joseph and Roxana Hartmann (respondent), n.d.; observations by Mark's first-grade classroom teacher (May 1993); a letter to the director of special education for Loudoun County Public Schools asking for a meeting to discuss Mark's transfer to a school in the district (March 1993); and a list of meeting dates with Ashburn Elementary staff and Roxana Hartmann re: Mark, and the issues that were discussed, October 1993-May 1994.

- 2.1 Legal Documents, 1995-1997, n.d. Includes a hearing brief of Joseph and Roxanna Hartmann in a special education appeal (Loudoun County Public Schools, appellants, v. Joseph and Roxanna Hartmann, respondent), n.d.; published report of the United States Court of Appeals for the Fourth Circuit in the case of Mark Hartmann and his parents, plaintiffs-appellees, v. the Lincoln County Board of Education, defendant-appellant (1997); a brief of Amicus Curiae, Virginia School Boards Association, in the case of Loudoun County Board of Education, defendant-appellant, v. Mark Hartmann et al., plaintiffs-appellees (1996?); and a brief on behalf of Mark Hartmann in the administration of an appeal between Loudoun County Public Schools, appellants, and Joseph and Roxanna Hartmann, respondent (1995).
- 2.2 Legal Documents, 1994-1996, n.d. Includes an order in Mark Hartmann and his parents, plaintiffs, v. the Loudoun County Board of Education, defendant, in the United States District Court for the Eastern District Court of Virginia, Alexandria division (November 1996), which contains a decision in favor of the Hartmanns with an order that Mark not be placed in a self-contained classroom for autistic children; a Memorandum in support of motion for stay, Mark Hartmann and his parents, plaintiffs, v. the Loudoun County Board of Education, defendant, December 1996; a rebuttal memorandum by the Loudoun County Public Schools, containing the response from Loudoun County Schools to the judge's decision in favor of the Hartmanns, November 1994; a brief on behalf of Mark Hartmann, Loudoun County Public Schools, appellants v. Joseph and Roxanna Hartmann, respondents, March 1995; a respondent's reply brief by Joseph and Roxanna Hartmann, November 1994; a brief in opposition to defendant's motion for stay, n.d.; and a published report of the United States Court of Appeals for the Fourth Circuit in the case of Mark Hartmann and his parents, plaintiffs-appellees v. Loudoun County Board of Education, defendant-appellant, 1994.
- 2.3 Legal Documents, 1994-1996. Includes a post-hearing brief of Joseph and Roxanna Hartmann in the special education appeal, n.d.; a memorandum opinion in the case of Mark Hartmann and his parents, plaintiffs, v. the Loudoun County Board of Education,

defendant, November 1996; Decision in the Loudoun County Public Schools Due Process Hearing re: Mark Hartmann, December 1994; Loudoun County Public Schools' Rebuttal Memorandum in the Local Due Process Hearing re: Mark Hartmann, November 1994; and a Memorandum on behalf of Loudoun County Public Schools in the Local Administrative Hearing re: Mark Hartmann, n.d.

- 2.4 Legal Documents, 1991-1995. Contains a list of witnesses for the Loudoun County Board of Education (1996); list of exhibits for the Loudoun County Board of Education, 1995; correspondence and legal documents referring to a legal case between the County School Board of Chesterfield County, Virginia, and Paul and Maria Fuller, 1991-92; and correspondence re: the enrollment of Mark in another public school in Montgomery County pending the outcome of his case, March 1995. Also contains original court documents including behavioral support guidelines; notes re: direct examination of Roxanna Hartmann; notes from observing Mark in the classroom; a 7 page letter by the Hartmanns to the principal of Ashburn Elementary School, expressing appreciation for school staff and concern about Mark's progress in the classroom, March 1994; a letter to the superintendent of Loudoun County Public Schools from the Hartmanns requesting that Mark's IEP meeting be held at the central office so that the appropriate decision makers are present, May 1994; a letter from the director of special education programs, Fairfax County Public Schools re: and IEP for Mark, April 1993; a report of Mark's conduct in class at Ashburn Elementary School by an education consultant, June 1994; a letter and survey by Joseph and Roxanna Hartmann sent to the parents of students in Mark's classroom asking for their feedback about their child's experiences with Mark, July 1994; letter to the director of special education with the Loudoun County Public Schools re: their opposition to the assignment of Mark's speech and language therapist at Ashburn Elementary School to deliver Mark's extended year services (July 1994); a signed statement by Mark's teacher indicating that academically Mark has shown no growth and an increase in aggressive behavior; an Individualized Education Program (IEP) for Mark Hartmann (1994-95) with Loudoun County Public Schools; and reports and statements on Mark's progress and behavior from some of his teachers including his speech and language therapist.
- 2.5 Transcript of trial proceedings before the Honorable Leonie M. Brinkema, United States District Judge, in the United States District Court, Eastern District of Virginia, Alexandria Division, Mark Hartmann and his parents (plaintiffs) v. Loudoun County Board of Education, September 9, 1996 (299 pages). Contains testimony of Patrick Schwarz, Beverly Strager, Kenna Colley, and Gregory Paynter.
- 2.6 Transcript of trial proceedings before the Honorable Leonie M. Brinkema, United States District Judge, in the United States District Court, Eastern District of Virginia, Alexandria Division, Mark Hartmann and his parents (plaintiffs) v. Loudoun County Board of

- Education (defendant), September 10, 1996 (249 pages). Contains testimony of Joseph Hartmann, Carolyn Clement, Emily Dodge, and Frank Johnson.
- 2.7 Joint Appendix, Vol. I., 1997. Appeal from the United States District Court for the Eastern District of Virginia, Alexandria Division, Loudoun County Board of Education (defendant-appellant) v. Mark Hartmann and his parents Roxana and Joseph Hartman (plaintiffs-appellees). Includes excerpts from the due process hearing, Aug.-Oct. 1994; exhibits of defendant school board filed at December process hearings; exhibits of plaintiff Hartmann filed at due process hearings; excerpts from transcript of trial before the Honorable Leonie M. Binkema [sic], Sept. 1996; defendant school board's trial exhibits; plaintiff Hartmann's trial exhibits; order and memorandum opinion entered November 27, 1996; notice of appeal filed December 10, 1996; supplemental memorandum opinion of the court filed December 16, 1996; and order entered January 13, 1997.
- 2.8 Joint Appendix, Vol. II, 1997. Appeal from the United States District Court for the Eastern District of Virginia, Alexandria Division, Loudoun County Board of Education (defendant-appellant) v. Mark Hartmann and his parents Roxana and Joseph Hartman, plaintiffs-appellees. Includes excerpts from transcript of due process hearings, Aug.-Oct. 1994; exhibits of defendant school board filed at December process hearings; exhibits of plaintiff Hartmann filed at due process hearings; excerpts from transcript of trial before the Honorable Leonie M. Binkema [sic], Sept. 1996; defendant school board's trial exhibits; plaintiff Hartmann's trial exhibits; order and memorandum opinion entered November 27, 1996; notice of appeal filed December 10, 1996; supplemental memorandum opinion of the court filed December 16, 1996; and order entered January 13, 1997.
- 2.9 Joint Appendix, Vol. III, 1997. Appeal from the United States District Court for the Eastern District of Virginia, Alexandria Division, Loudoun County Board of Education (defendant-appellant) v. Mark Hartmann and his parents Roxana and Joseph Hartmann (plaintiffs-appellees). Includes transcripts of the due process hearing in Aug.-Oct. 1994; exhibits of the defendant school board filed at December process hearings; exhibits of plaintiff Hartmann filed at due process hearings; excerpts from transcript of trial before the Honorable Leonie M. Binkema [sic] in Sept. 1996; defendant school board's trial exhibits; plaintiff Hartmann's trial exhibits; order and memorandum opinion entered November 27, 1996; notice of appeal filed December 10, 1996; supplemental memorandum opinion of the court filed December 16, 1996; and order entered January 13, 1997.
- 2.10 Appendices A-Q, 1991-1995. Various documents related to Mark's legal case. Each stack of documents is labelled as follows:
- Appendix A: Letter sent by the Hartmanns to Ms. Kearney in March 1993 with all paper attachments
 - Appendix B: Ms. Hunt's report of consultation

- Appendix C: First quarter evaluation reports written by Ms. Johnson and Ms. Clement-Waterhouse
 - Appendix D: Letter from LCPS reporting the results of the Eligibility Committee's meeting relating to Mark Hartmann
 - Appendix E: Behavior plan memorandum written by Ms. Clement-Waterhouse and Ms. Johnson dated January 31, 1994
 - Appendix F: second quarter grading period reports written by Ms. Clement-Waterhouse and Ms. Johnson
 - Appendix G: documents prepared by the Hartmanns for the teachers at Ashburn Elementary School
 - Appendix H: the final "current level of functioning" document as negotiated by the Hartmanns for Mark
 - Appendix I: third quarter grading period reports by Ms. Johnson, Ms. McCulloch, and Ms. Clement-Waterhouse
 - Appendix J: Letters from the Hartmanns to LCPS relating to issues that the Hartmanns wanted addressed at the IEP meeting scheduled for May 31, 1994
 - Appendix K: The Annual reports submitted by the Ashburn E.S. staff
 - Appendix L: Ms. Beckler's complete evaluation of Mark Hartmann
 - Appendix M: Dr. Edelson's report concerning the Test of Nonverbal Intelligence (TONI) for Mark Hartmann
 - Appendix N: Ms. Thornton's complete evaluation of Mark Hartman
 - Appendix O: LCPS' memorandum on behalf of LCPS to initiate due process proceedings against the Hartmanns
 - Appendix P: The Hartmanns' post hearing brief relating to the due process proceeding
 - Appendix Q: Mark Hartmann's IEP for 1995-96 at Kipps Elementary School, dated March 9, 1995
- 2.11 Appendices, 1991-95, n.d. Mostly the same documents as above, but not labelled with an appendix title page, 1991-95. Some other material not included in the appendices is contained in this file.
- 2.12 Legal documents and correspondence, 1994-1996. A large package of loosely bound documents. Includes a Brief in response to defendant's motion to dismiss, US District Court, Eastern District of Virginia, Alexandria Division, Mark Hartmann and his parents (plaintiffs) v. Loudoun County Board of Education, Edgar Hatrick (Superintendent), and Ned Waterhouse (Director of Pupil Services); affidavit of Joseph Hartmann (Feb. 10, 1996); affidavit of Roxana Hartmann (Feb. 7, 1996); memorandum in support of motion to dismiss; a motion to dismiss; affidavit of Ned Waterhouse (Jan. 31, 1996); correspondence between the Hartmann's lawyer and the Loudoun County Board of

Education's lawyer re: a possible settlement (January 1996); a complaint in the case of the Hartmanns v. Loudoun County Board of Education, Edgar Hatrick, and Ned Waterhouse re: jurisdiction and venue and claim for relief; resume of Patrick Schwarz, who was recommended to be an expert witness for the Hartmanns; correspondence with Frank Laski, attorney, providing an update on Mark's case (October 19, 1995); correspondence re: acquiring a new computer for Mark to help him communicate (July 1995); correspondence re: the DRVD (Department for the Rights of Virginians with Disabilities) providing funding for an appeal from the State Hearing Officer (1995); correspondence from the Director of Special Education, Loudoun County Public Schools, offering to set up a meeting to discuss an IEP for Mark with a placement in an autistic class (May 1995); Virginia Department of Education Administrative Appeal, Joseph and Roxana Hartmann (appellants) v. Loudoun County Public Schools (appellee), 1995; a reply brief on behalf of Mark Hartmann, Loudoun County Public Schools (appellants) v. Joseph and Roxana Hartmann (respondent), April 1995; Brief in Opposition to appeal on behalf of the Loudoun County School Board re: Mark Hartmann, Virginia Department of Education, State Administrative Review, March 1995; correspondence from the U.S. Department of Education, Office for Civil Rights, re: allegations by the Hartmanns that Montgomery County Schools discriminated on the basis of disability (March 1995); a statement from the Autism National Committee on Mark's eligibility to enroll in Montgomery County Schools after a judge ruled on March 2, 1995 that he could enroll; letters of thanks from Roxana Hartmann to various Virginia politicians who supported their case (March 12, 1995); a brief on behalf of Mark Hartmann, Loudoun County Public Schools (appellants) v. Joseph and Roxanna Hartmann (respondent), March 1995; correspondence between the Hartmanns lawyer and the Loudoun County School Board's lawyer re: Mark's enrollment in a Montgomery County School and the implications on the litigation with Loudoun County Schools (March 1995); a letter from Judge Ray Grubbs re: the injunctive relief requested in the case of the County School Board of Montgomery County v. Roxana and Joseph Hartmann (March 2, 1995); a letter by Roxana Hartmann to friends and family providing them with an update of the case and asking for financial assistance (January 17, 1995); a four-page document written by the Hartmanns explaining their situation with Mark and the Loudoun County School Board (February 13, 1995); a statement on behalf of Mark Hartmann and the Hartmann family prepared for members of the Virginia General Assembly (February 8, 1995); a letter from the Director of Special Education in Loudoun County to the Hartmanns asking them to complete a form allowing school staff in Montgomery County be able to share school records with staff in Loudoun County, February 3, 1995; a letter to the Superintendent of Montgomery County Public Schools, from Joseph Hartmann, providing additional information to help establish the residency of Roxana and Mark in Montgomery County, January 30, 1995; a questionnaire completed by Roxana Hartmann to help determine her residency in Montgomery County, January 30, 1995; notice of hearing for preliminary injunction in the circuit court of Montgomery County, County School Board of Montgomery County (petitioner) v. Roxana

and Joseph Hartmann (respondents); a bill of complaint in the circuit court of the county of Montgomery, County School Board of Montgomery County (petitioner) v. Roxana and Joseph Hartmann (respondents); a letter from Herman Bartlett, Superintendent of Montgomery County Public Schools, to the Hartmanns asking them to complete a questionnaire to help determine if they are residents of Montgomery County; correspondence to the Hartmanns re: their request for a state level review of the recent hearing and decision in the case of Mark Hartmann, January 1995; a letter from Gerard Rugel, the Hartmann's attorney, to Kathy Mehfoud, attorney for Loudoun County Public Schools, informing her of the Hartmann's appeal of the local due process hearing and their intention to remove Mark from Loudoun County Schools, January 3, 1995; a letter from the Department for Rights of Virginians with Disabilities to the Virginia Department of Education re: a complaint that was filed with the agency on behalf of the parents of Mark Hartmann, January 1995; a letter to the Superintendent of Loudoun County Public Schools from Judith Douglas, Virginia Department of Education, re: a complaint made against Loudoun County Schools by the Hartmanns, December 29, 1994; a letter to the principal of Ashburn Elementary School, re: a safe/quiet place for Mark and a request to meet to make further arrangements for Mark, December 17, 1994; a letter to the Hartmanns and their lawyer by Jamie [Ruppman] with her thoughts on the decision taken by Nancy McBride in Mark's case, December 16, 1994; and a letter to the editor by Judy Bailey re: in support of Mark and his family, November 30, 1994. A few loose items are included that are originals or duplicates of material bound in the package of documents.

- 3.1 Legal Process Documents. 1994-1996. Includes an independent evaluation report of Mark Hartmann by Patrick Schwarz (1996); occupational/physical therapy reports for Mark and other reports on his progress by his teachers at Kipps Elementary (May 1995-April 1996); recommendations re: communication consultation for Mark Hartmann (October 1995); memo re: Mark's sensory integration consultation (December 1995); progress reports for Mark at Kipps Elementary (1995-1996); a letter to the Hartmanns from an inclusion coordinator re: a meeting to develop an IEP for Mark; an IEP for Mark at Kipps Elementary (1995-1996); correspondence from the Hartmanns to the principal of Ashburn Elementary School, re: the implementation of a quiet space for Mark during periods of distress; a letter from the principal of Ashburn Elementary School to the Hartmanns explaining why their request to observe Mark in class on a particular date cannot be accommodated; several letters between the Hartmanns and the principal of Ashburn Elementary School re: recommendations by Jamie Ruppman, a consultant for Loudoun County Schools; and letters between the Hartmanns and the principal of Ashburn Elementary School re: education and training for school staff in the area of autism; and several worksheets completed by Mark.
- 3.2 Testimony of Roxanna Hartmann in the case of County School Board of Montgomery County v. Roxana Hartmann and Joseph Hartmann, February 16, 1995.

- 3.3 Depositions of Beverly Strager and Kenna Colley in the civil action between Mark Hartmann and his parents Roxana and Joseph Hartmann (plaintiffs) v. the Loudoun County Board of Education (defendant), in the United States District Court for the Western District of Virginia, Alexandria Division, June 10, 1996.
- 3.4 United States District Court for the Eastern District of Virginia, Alexandria Division. Roxana and Joseph Hartmann (Plaintiffs) v. Loudoun County Board of Education (Defendant). Defendant's Proposed Findings of Fact and Conclusions of Law. (September 1996)
- 3.5 Interrogatories, 1994-96. Contains documents related to interrogatories including some related to Mark's mental and physical health; people who have worked with Mark in an educational, medical or psychological capacity; educational services he has received; court costs, expenditures and attorney's fees accrued by the Hartmanns; Joseph Hartmann's attendance record at his place of employment; and documents related to Mark's education in Montgomery County.
- 3.6 Legal Documents, 1994-1997. Contains a Brief on Behalf of Appellees, U.S. Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann et al. (appellees); an independent evaluation report of Mark Hartmann by Patrick Schwarz (May 1996); Virginia Department of Education Administrative Appeal, Joseph and Roxana Hartmann (appellants) v. Loudoun County Public Schools (appellee), May 1995; Respondent's Reply Brief, Virginia Special Education Appeal, Loudoun County Public Schools (appellants) v. Joseph and Roxana Hartmann (respondent), November 22, 1994; Brief of Amici Curiae, Tidewater Down Syndrome Association, et al., on appeal from the U.S. District Court, Virginia, Alexandria Division, in the U.S. Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellees), March 1997; Brief of Appellees, on appeal from the U.S. District Court, District of Virginia, Alexandria Division, in the U.S. Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellee); and a Brief for the United States as Amicus Curiae, on appeal from the U.S. district court, eastern Virginia, in the United States Court of Appeals for the Fourth Circuit, Mark Hartmann and his parents (plaintiffs-appellees) v. Loudoun County Board of Education (defendant-appellant), March 1997.
- 3.7 Brief of Appellees, on appeal from the U.S. District Court, Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellee), March 1997.
- 3.8 Brief of Appellant, on appeal from the United States District Court for the District of Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit Loudoun County Board of Education (Appellant) v. Roxanna and Joseph Hartmann (Appellee), March 1997.

- 3.9 Brief for the United States as Amicus Curiae, United States Court of Appeals for the Fourth Circuit. Roxanna and Joseph Hartmann (Plaintiffs-Appellees) v. Loudoun County Board of Education (Defendant-Appellant), on appeal from the United States District Court for the Eastern District of Virginia, March 1997.
- 3.10 Reply Brief of Appellant on appeal from the United States District Court for the Eastern District of Virginia, Alexandria Division, United States Court of Appeals for the Fourth Circuit. Loudoun County Board of Education (Appellant) v. Roxanna and Joseph Hartmann (Appellee), April 1997.
- 3.11 Supreme Court Petition, 1997. Contains a copy of the petition for a writ of Certiorari, October Term 1997, submitted by Gerard Rugel, counsel representing Roxanna and Joseph Hartmann.
- 3.12 Brief in Opposition to Conditional Cross-Petition in the Supreme Court of the United States (October, 1997), Loudoun County Board of Education (petitioner) v. Mark Hartmann and his parents Roxana and Joseph Hartmann (respondents), on petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit.
- 3.13 Legal documents, 1997. Contains Respondent's Brief in Opposition, On Petition of Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit in the Supreme Court of the United States, Mark Hartmann and his parents (petitioners) v. Loudoun County Board of Education (respondent), October 1997; a Reply to Brief in Opposition, On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, Mark Hartmann and his parents (petitioners) v. Loudoun County Board of Education (respondent), October 1997; Brief in Opposition to Conditional Cross-Petition, On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, Loudoun County Board of Education (petitioner) v. Mark Hartmann and his parents (respondents), October 1997; Brief of Appellant, on appeal from the U.S. District Court, Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellee), March 1997; Reply Brief of Appellant, On Appeal from the U.S. District Court, Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellee), April 1997; Petition for a Writ of Certiorari, On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, Mark Hartmann and his parents (petitioners) v. Loudoun County Board of Education (respondent), October 1997; Reply to Brief in Opposition, On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, Mark Hartmann and his parents (petitioners) v. Loudoun County Board of Education (respondent), October 1997; Conditional Cross-Petition for Writ of Certiorari, On Petition for Writ of Certiorari to the United States Court of Appeals

for the Fourth Circuit, in the Supreme Court of the United States, Loudoun County Board of Education (petitioner) v. Mark Hartmann and his parents (respondents), October 1997; Petition for a Writ of Certiorari, On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, Mark Hartmann and his parents (petitioners) v. Loudoun County Board of Education (respondent), October 1997; and a seven-page personal letter from the Hartmanns to Laurie McDonald, principal of Ashburn Elementary School, re: the due process hearing and the events that led to it, March 19, 1994.

3.14 Legal documents, 1997, n.d. Contains:

- The decision of the United States Court of Appeals for the Fourth Circuit, Mark Hartmann and his parents (plaintiffs-appellees) v. Loudoun County Board of Education (defendant-appellant) and Edgar Hatrick and Ned Waterhouse (defendants)
- Reply Brief in Opposition, On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, October term 1997, Mark Hartmann and his parents (petitioners) v. Loudoun County Board of Education (respondent)
- Brief in Opposition to Conditional Cross-Petition, On Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, October term, 1997, Loudoun County Board of Education (petitioner) v. Mark Hartmann and his parents (respondents)
- Brief for the United States as Amicus Curiae, on appeal from the United States District Court for the Eastern District of Virginia, in the United States Court of Appeals for the Fourth Circuit, Mark Hartmann and his parents (plaintiffs-appellees) v. Loudoun County Board of Education (defendant-appellant)
- Brief of Amicus Curiae, Virginia School Board Association, On appeal from the United States District Court for the Eastern District of Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (defendant-appellant) v. Mark Hartmann et al. (plaintiffs-appellees)
- Brief of Amici Curiae, Tidewater Down Syndrome Association et al., On appeal from the United States District Court for the Eastern District of Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellees)
- Addendum to Brief of Appellees, On appeal from the United States District Court for the District of Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellee)

3.15 Legal documents, 1997, n.d. Contains:

- Reply Brief of Appellant, On appeal from the United States District Court for the Eastern District of Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellee)
 - Brief of Appellant, On appeal from the United States District Court for the District of Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellee)
 - Brief of Appellees, On appeal from the United States District Court for the District of Virginia, Alexandria Division, in the United States Court of Appeals for the Fourth Circuit, Loudoun County Board of Education (appellant) v. Mark Hartmann and his parents (appellee)
 - Petition for a Writ of Certiorari, On petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, October term 1997, Mark Hartmann and his parents (petitioners) v. Loudoun County Board of Education (respondent)
 - Conditional Cross-Petition for Writ of Certiorari, On petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, October term 1997, Loudoun County Board of Education (petitioner) v. Mark Hartmann and his parents (respondents)
 - Respondent's Brief in Opposition, On petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, October term 1997, Mark Hartmann and his parents (petitioners) v. Loudoun County Board of Education (respondent)
 - Reply to Brief in Opposition to Conditional Cross-Petition, On petition for Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, in the Supreme Court of the United States, October term 1997, Loudoun County Board of Education (petitioner) v. Mark Hartmann and his parents (respondents)
- 3.16 Correspondence, school records, and legal documents re: Mark's case until it was closed, 1994-1998. Includes correspondence with the Commonwealth of Virginia, Department of Rights of Virginians with Disabilities; correspondence by the Hartmann's lawyer, Gerard Rugel; congressional testimony concerning Mark's case; Brief in Opposition to Defendant's Motion for Stay, United States District Court for the Eastern District of Virginia, Alexandria Division, Mark Hartman and his parents (plaintiffs) v. Loudoun County Board of Education (defendant), 1995; affidavit of Joseph Hartmann; supplemental memorandum opinion; memorandum in support of motion for stay; press releases re: the Mark Hartmann case; an order by Judge Leonie Brinkema in favor of the plaintiffs (the Hartmanns), November 1996; a memorandum opinion by Judge Leonie Brinkema (November 1996); questions

asked in the testimony of Joseph Hartmann, Kenna Colley, Beverly Strager, and Patrick Schwarz; Defendant's proposed findings of fact and conclusions of law, United States Court for the Eastern District of Virginia, Alexandria Division, Mark Hartmann & parents (plaintiffs) v. Loudoun County Board of Education (1996); Plaintiff's proposed findings of fact and conclusions of law, Mark Hartmann & parents (plaintiffs) v. Loudoun County Board of Education (defendants); a progress report for Mark Hartmann; Order on final pretrial conference, Mark Hartmann & parents (plaintiffs) v. Loudoun County Board of Education (defendant); Loudon County's response to Plaintiff's first set of interrogatories (June 1996); a list of witnesses to be called by the plaintiffs (the Hartmanns), February 1996; an evaluation report of Mark Hartmann by Patrick Schwarz (1996); evaluation report of Mark Hartmann by Kenna Colley (1996); Loudon County's Interrogatories and request for documents (April 1996); first request for production of documents to plaintiffs, Mark Hartmann & parents (plaintiffs) v. Loudoun County Board of Education (defendants), April 1996; first set of interrogatories to plaintiffs, Mark Hartmann & parents (plaintiffs) v. Loudoun County Board of Education, Edgar Hatrick, and Ned Waterhouse, (defendants); correspondence re: the County School Board of Montgomery County v. Roxana and Joseph Hartmann concerning the eligibility of Mark Hartmann to enroll in Montgomery County schools; an article titled *The Effects of Inclusion on Learning* published in Education Leadership, Dec. 1994/Jan. 1995; and Mark's IEP (1995). Also contains a one-page summary of some of the legal proceedings in Mark's case for inclusion in a regular classroom and thoughts on Loudoun County's approach to inclusion.

Series III: School Documents, 1984-2007, n.d.

Sub-series A: Mark's schoolwork, 1991-2007, n.d.

- 3.17 Mark's schedule, n.d. Contains a copy of Mark's school schedule, a number board, a page of commonly asked questions and requests, and a Father's Day card by Mark.
- 3.18 Communication Log, 1991. Contains Mark's communication log for a week in February 1991, and a math test.
- 3.19 Photo album of Mark's year in first grade at Butterfield School, 1992-93. Contains photographs with staff and students and notes from his teachers.
- 3.20 Mark's schoolwork and education-related documents, 1994-95. Includes a booklet titled *Mark's Christmas Shopping Book*; a facilitation board; school work sheets (1994, n.d.); Mark's daily class schedule with comments (1994); Mark's IEP with Kipps Elementary for the 1994-95 school year; a meeting agenda re: Mark Hartman (May 1995); an intervention plan for Mark (April 1995); a letter from Kenna [Colley] to Mark's mother Roxana re: his first day (1995); a progress report (June 8, 1995); a summary of recommendations re: a communication consultation (1995); Mark's IEP with Montgomery County Public Schools

- (1995-96); occupational/physical therapy updates from Montgomery County Public Schools (1995); a list of Mark's special education and related services with Montgomery County Public Schools; Mark's Grade 4 Intervention Plan (October 1995); a notice of an upcoming IEP meeting sent to Mark's parents (February 1996); correspondence re: a sensory integration consultation for Mark; IEP progress reports and updates for 1995-1996; and a school notebook used by Mark (1994).
- 3.21 Surveys, 1994. Completed surveys asking Mark's classmates and their parents about their experiences having Mark in their classroom at Ashburn Elementary School, 1994. The surveys were prepared by Mark's parents and a letter from them about the survey is included.
- 4.1 Surveys, 1994. Contains surveys completed by parents of Mark's classmates, 1994. The surveys were distributed by Mark's parents and mailed to them upon completion. There are 13 surveys included.
- 4.2 Mark's schoolwork at Kipps Elementary School, 1995. Contains Mark's math and language school worksheets; school projects; and encouraging notes to Mark from his teachers.
- 4.3 Mark's schoolwork, 1995. Contains math and language worksheets; daily school checklists of Mark's schedule and activities; and encouraging notes from his teachers.
- 4.4 School papers, Kipps Elementary School, 1995. Contains daily notes on homework; school worksheets; sheets recording Mark's daily schedule with teachers comments and some comments from Mark's parents (March-June 1995); and a folder of laminated sheets with different subjects or daily activities (ie. recess, snack time) written on them.
- 4.5 Schoolwork, 1995. Mostly contains Mark's completed school worksheets. Also contains a progress update (May 1995) and an agenda for a team meeting re: Mark Hartmann, May 26, 1995.
- 4.6 Schoolwork, 1995-96. Contains Mark's completed school worksheets, projects and readings, 1995-96.
- 4.7 Schoolwork, 1994-1996, n.d. Contains Mark's school projects.
- 4.8-4.9 Schoolwork, Kipps Elementary School, 1996-97. Contains school worksheets; daily school checklists of Mark's schedule and activities; notes from his teachers; and a certificate of completion of elementary studies from Kipps Elementary School in Blacksburg, Virginia.
- 4.10 Schoolwork, 1996-97. Contains school worksheets; handwritten notes about teachers, their education, and their experiences with Mark (1996); Mark's daily school schedule with notes on homework or daily events (1996); an IEP for Mark with Montgomery County Public Schools (1996); correspondence with Montgomery County Public Schools re: Mark's placement; an academic achievement page re: Mark's progress (1996); an end-of-

- year occupational therapy report from Montgomery County Public Schools; and a notice of an IEP meeting for Mark (1996).
- 4.11 Schoolwork, Kipps Elementary School, Grade 4, 1996-97. Contains checklists of Mark's daily school schedule; and sheets with comments about Mark's day.
 - 4.12 Schoolwork, Kipps Elementary School (5th Grade), 1996-97. Contains school worksheets.
 - 4.13 Schoolwork, Kipps Elementary School (5th Grade), 1996-97. Contains school worksheets.
 - 4.14 Schoolwork, Kipps Elementary School (5th Grade), 1996-97. Contains school worksheets.
 - 5.1 Schoolwork, Kipps Elementary School, 1997. Contains a program of the fifth-grade recognition ceremony at Kipps Elementary School; school worksheets; a checklist of Mark's daily school schedule with comments; and a note from Mark to his parents saying that he hit his teacher because he was frustrated but later apologized to him.
 - 5.2 Mark Hartmann's Grade 6 student assignment book, 1997-98. Contains daily notes about school assignments, field trips, and other school-related notes.
 - 5.3 Schoolwork, Kipps Elementary School, 1998. Contains school worksheets and artwork.
 - 5.4 Schoolwork, Kipps Elementary School, 1998. Contains checklists of Mark's daily school schedule with comments; school journal entries by Mark; school worksheets; and a certificate to Mark Hartmann from Kipps Elementary School for excellent attendance.
 - 5.5 Schoolwork, Kipps Elementary School, 1998. Contains school journal entries by Mark (Feb.-May 1998); math worksheets; and communication boards.
 - 5.6 Schoolwork, 1998-99. Contains completed worksheets, readings, and artwork.
 - 5.7 Notebooks, 1998. Contains Mark's school notebooks for various subjects including language arts, science, and social studies.
 - 5.8 Schoolwork, 1998. Contains completed worksheets, artwork, scrapbook, and a writer's workshop book.
 - 5.9 Schoolwork, 1998. Contains completed worksheets, artwork, and Mark's autobiography with photographs.
 - 5.10 Mark's daily school schedule with written expectations, 1998-1999.
 - 5.11 Schoolwork, 1998-2000. Contains report cards (2000); math and language worksheets; and artwork.
 - 5.12 Schoolwork, 1999-2007. Contains Mark's school work (2007); documents related to Mark's IEP (2006-07); a positive behavioral support plan for Mark (2000-2002); Mark's IEP report card for 2001; a question form on facilitation strategies for facilitators with

- comments on Mark's behavior (2001); an IEP for Mark with Montgomery County Public Schools (2002); general comments on facilitated communication and its use; Mark's daily school schedule from September 2000 to January 2001; some of Mark's school work from 2001; and report cards from Blacksburg Middle School (1999-2000).
- 5.13 Schoolwork, 1998-1999. Contains journal entries for school, October 1998-January 1999 and some of Mark's school work sheets.
 - 5.14 Schoolwork, 1998. Contains school worksheets and tests.
 - 5.15 Schoolwork, 1998-1999. Includes transcripts of conversations between Mark and his teachers using facilitated communication; school worksheets completed by Mark; daily school schedule for Mark with comments (Sept.-Oct. 1999); and an article titled *Research on antibodies to neurotransmitter receptors in autism* by Dr. Edwin Cook (1989).
 - 5.16 Schoolwork, 1998-99. Contains words and journal entries created by Mark, from October 1998 to June 1999.
 - 5.17 Schoolwork, 1999. Contains several sheets of Mark's daily school schedule (1999); and some of Mark's school work sheets.
 - 5.18 Schoolwork, 1999. Contains a booklet made by Mark with photographs titled *Mark's Journey*; and school work sheets; daily word/journal entries written by Mark (Jan.-March 1999).
 - 5.19 Schoolwork, 2000. Includes transcripts of conversations between Mark and his teachers using facilitated communication; Mark's school worksheets; and Mark's daily school schedule with comments and notes.
 - 6.1 Schoolwork, 2000. Contains notes taken by Mark and transcripts of conversations between Mark and his teachers using facilitated communication (January-June 2000).
 - 6.2 Schoolwork and related documents, 2000. Includes transcripts of conversations between Mark and his teachers using facilitated communication (1999-2000); school work sheets (2000-01); Mark's behavior plan (2000); and a daily school checklist including a social communication log and question form on facilitation strategies for facilitators (Aug.-Sept. 2000).
 - 6.3 Schoolwork (Ninth Grade), 2000. Includes Mark's daily school schedule with notes; Mark's school work sheets; and progress reports.
 - 6.4 Schoolwork (Ninth Grade), 2001. Includes Mark's school worksheets; completed question forms on facilitation strategies for facilitators (Dec. 2000-Jan. 2001); Mark's daily school schedule with comments (Jan. 2001); and Mark's school notes and transcripts of conversations between Mark and his teachers using facilitated communication (Oct. 1999-Jan. 2000).

- 6.5 Schoolwork, 2000-2001. Includes Mark's school work; a behavior plan; a page of sample lip exercises; and an English course summary and general course description.
- 6.6 Schoolwork, 2001. Includes a resume for Mark Hartmann; Mark's school worksheets and writing assignments; progress reports; and Mark's daily school schedule with notes.
- 6.7 Mark's daily school schedule with comments, 2000-01.
- 6.8 Mark Hartmann portfolio, fall semester 2004. Contains assignments and material related to a critical literacy course (English 1105) at Virginia Tech.
- 6.9 Schoolwork, n.d. Folders containing Mark's academic work, including a project on the role of women during World War I, the practice of medicine during Elizabethan Times, and a poetry project.
- 6.10 Virginia Tech, 2004. Contains course material from Mark's time at Virginia Tech as part of the Virginia Tech/on-campus transition program. Includes assignments, schedules, and class completion certificates.
- 6.11 Virginia Tech, 2005. Contains course material from Mark's time at Virginia Tech as part of the Virginia Tech/on-campus transition program. Includes assignments, schedules, and class completion certificates.
- 6.12 Virginia Tech, 2005-06. Contains course material from Mark's time at Virginia Tech as part of the Virginia Tech/on-campus transition program. Includes assignments, schedules, and class completion certificates.
- 6.13 Mark's School Present., 2005. Contains photographs of events from Mark's high school years, including a trip to Busch Gardens; Homecoming Dance; a trip to the Bahamas; junior and senior prom; and a football game.
- 6.14 Schoolwork, 2005-2007. Contains assignments, handwritten notes, course syllabus, course readings, and Mark's IEP for the 2006-07 school year.
- 6.15 Schoolwork, 2000-2006, n.d. Contains assignments and readings; a letter to Mark's teachers for his upcoming senior year in high school with several documents related to Mark and his education; an activities and facilitated communication checklist with comments; a positive behavior support plan for Mark (2004-05); a draft campus environmental assessment, Virginia Tech (2004); a student weekly schedule for Mark; a brief introduction about an inclusion program at Virginia Tech and Mark's participation in the program; Mark's Fall 2006 schedule and Spring 2007 schedule; a checklist of Mark's cleaning duties; a positive behavior support plan for Mark (2003-04); and a report card from Blacksburg High School (2006-07).
- 6.16 Surveys for Post High School Graduation Program at Virginia Tech Campus, n.d. Contains surveys completed by Mark's classmates at Virginia Tech about their experiences having

Mark in their classroom as part of Montgomery County's post high school graduation program at Virginia Tech. Also contains a draft of Mark's IEP; a positive behavior support plan for Mark (2005-06); a Kipps Elementary quality of service checklist for supporting students with significant disabilities and/or support needs; and Mark's student weekly schedule for the first and second semesters, 2004-05).

- 6.17 Schoolwork and related documents, 2006-07. Includes Mark's IEP for the 2006-07 school year; Mark's school writing, worksheets, and readings; completed surveys by Mark's senior high school teachers prepared by his parents, asking for feedback on their experiences with Mark and his progress; transcripts of conversations with Mark at school using facilitated communication; completed questions forms on facilitation strategies for facilitators; and a consultation report on Mark's use of facilitated communication by the Facilitated Communication Institute, Syracuse University.
- 6.18 Mark's storyboard book, n.d. A book of laminated pages containing words and pictures of days of the week; months of the year; computer parts; verbs; parts of the body; questions/responses; animals; school supplies; clothing; places; people; toys/games; transportation; and food. Also contains long strips of colored, oversized paper with sentences written on them.
- 6.19 Laminated school cards, n.d. Contains laminated cards used in school, including pictures of Mark's classmates; index cards with the days of the week and months of the year; and index cards with pictures and words. Also includes photos of Mark reading in a hammock.
- 6.20 Laminated communication boards, n.d. Contains laminated cards used for communicating including keyboards and phrases.

Sub-series B: Progress Reports, Report Cards, Evaluations and IEPs, 1984-2006, n.d.

- 7.1 Mark's evaluations and reports from age 2 to 4, 1987-1993. Contains a psychological assessment by Anita Landau Hurtig of the University of Illinois at Chicago (1992); a completed questionnaire in preparation for a neurology evaluation from the Department of Neurology, Albert Einstein College of Medicine (1989); an evaluation from the Medical College of Virginia, Virginia Commonwealth University (1988); results of a hearing test (1987); consultation notes for an assessment by pediatric neurologist John Pellock (1988); a 1988 hospital report including audiological reports, bone scan results, a speech/language report, results of a neurological consultation, an occupational therapy assessment, and a child psychiatry consultation report; an article titled *Autistic Disorder and Other Pervasive Developmental Disorders* by Edwin Cook and Bennett Leventhal (1995); test results from auditory testing at the Center for the Study of Autism, Inc. (1992); an article titled *Platelet Serotonin Studies in Hyperserotonemic Relatives of Children with Autistic Disorder* (1993); completed forms about Mark's history and behavior from the

- University of North Carolina at Chapel Hill (1990); a discharge summary for Mark from Virginia Commonwealth University; a second opinion on Mark's condition by Dr. John Pellock, Medical College of Virginia Hospitals; a speech/language report by Elain Norman, Child Development Resources; and recommendations from a child development consultation by Dr. Lowry Shropshire, Virginia Commonwealth University (1988).
- 7.2 Evaluations, 1988-89. Contains an occupational therapy evaluation (1989); an IEP for Mark from by Peninsula Area Cooperative Educational Services (PACES), 1989-90 and 1990-91; Mark's progress reports from PACES (1988-1990); correspondence with York County Public Schools re: admission and accommodations for Mark (1988-89); an educational testing report by PACES (1988, 1989); a guide for Mark in the classroom by his mother (1989-90); parent bulletins on Mark's progress (Sept.-Oct. 1989); a summer therapy report (1990); and a list of short-term goals identified for Mark.
- 7.3 Evaluations, 1991. Includes a report on Mark by school psychologist Bernice Krippner (1991); forms re: the services Mark receives from school (1990-92); supportive services reports from Little Friends (May 1991); progress report updates from Krejci Academy (1991); a memo from Roxana Hartman to the staff at Butterfield Grade School re: helpful hints for working with Mark in the school environment; Mark's IEP from Little Friends School (1990); progress updates; a list of recommended ancillary services from Little Friends School (1990); a speech and language supportive services report (September 1990); an occupational therapy supportive services report (September 28, 1990 and May 6, 1991); a social developmental study report (1991); an annual review (May 1992); an intrusion therapy supportive services report (1991); Mark's IEP from PACES (1990-1991 school year); and a questionnaire about Mark completed by his father (1990).
- 7.4 Evaluations, 1991-92. Includes progress reports from Butterfield School; an occupational therapy quarterly report from Butterfield School (1993); a kindergarten checklist of Mark's skills (October 1991); a compilation of documents re: Mark's developmental and educational history (1991-93); supportive services reports from Krejci Academy (1991-92); Mark's IEP; progress reports; an annual review for Mark (May 1992); and a list of recommended ancillary services for Mark from Krejci Academy (May 1991).
- 7.5 Evaluations, 1993. Includes a physical education report from Butterfield School; Mark's IEP (May 1993); progress reports; and a few sheets of school work completed by Mark.
- 7.6 Assorted papers, 1984-1996. Includes a bibliography of readings on disabilities and behavioral issues (1984-1987); a letter to the Director of Special Education at Loudoun County Public Schools, from the Hartmann's re: an enclosed package of reports sent in preparation for Mark's arrival in Loudoun County; a report of Mark's IEP conference with Butterfield School (1993); a report on Mark Hartmann by Janet Wangrow, Mark's first-grade teacher at Butterfield School (1993); a report by Mark's speech language pathologist (1993); a report of educational evaluation by Cathy Thornton (1994); a report

by Mark's music teacher at Ashburn Elementary (1994); a state ranking on inclusion of children with mental retardation age 6-21 in regular classrooms (1996-97); Respondent's Reply Brief in the case of Loudoun County Public Schools (Appellants) v. Joseph and Roxanna Hartmann (Respondent), 1994; a speech and language evaluation report from the time Mark attended Butterfield School (1993); Mark's IEP with Butterfield School, Lombard Elementary School District (1992); a letter about Mark from his teachers at the Krejci Academy (1993); a draft outline of procedures to use when responding to behavioral outbursts (1993-94); a behavior plan for Mark (1994); and some of Mark's school work (1996).

- 7.7 Evaluations, 1992-1994. Includes a letter from the Hartmann's attorney, Gerard Rugel, to Kathleen Mehford, attorney for Loudoun County Public Schools, with details of a settlement proposal, September 16, 1994; narrative report cards and progress reports for Mark, 1993-94; proposed objectives for Mark's IEP; a package of documents providing background information on Mark's educational history including teacher assessments and reports from occupational therapists, speech and language pathologist, and physical education instructors, 1992-93; a list of meeting dates between Joseph and Roxana Hartmann and school staff at Ashburn Elementary School and the issues discussed, October 1993-May 1994; a press release titled *The Facts of the DeVries Case*, September 26, 1994; a document from Butterfield School re: Mark's current levels of educational performance, May 1993; occupational therapy progress reports from Butterfield School, 1992-93; annual reports from Ashburn Elementary School, 1994; a letter from the Hartmanns designating Jamie Ruppman as their advocate/consultant and granting permission for the Loudoun County School administrators to share information about Mark with her, February 1, 1994; an occupational therapy assessment of Mark by Susan Davis, June 1989; an annual review behavior checklist for Mark from Krejci Academy, 1992; supportive services report for Mark Hartmann from Little Friends Inc., 1991-92; progress reports of Mark Hartmann by his music teacher, physical education instructor, and art teacher; Mark's behavior chart, Feb. 1994; a psychological evaluation, May 11, 1992, while Mark attended Butterfield Elementary; a speech/language pathologist report, May 1993; an occupational therapy report, February 1993; and a letter from the Hartmanns to the director of special education at Loudoun County Schools re: an upcoming IEP meeting, February 6, 1994.
- 7.8 Assorted documents, including progress updates, evaluations, report cards, and some legal documents, 1991-2006. Includes a Memorandum of Understanding between Virginia Polytechnic Institute and State University and Montgomery County Public Schools re: on-campus transition program, November 10, 2006; a report by Jamie Ruppman, educational consultant, with observations, discussion and recommendations re: Mark Hartmann; narrative report cards and annual reports for Mark from Ashburn Elementary School, 1993-94; Mark's IEP with Butterfield School, 1991-92 and 1993; classroom teacher observations of Mark by his Grade 1 teacher at Butterfield School; news clippings about

inclusion for disabled children and the Hartmann case; a list of cross-examination question for Mark's speech and language therapist at Ashburn Elementary School; a list of direct examination questions for Roxanna Hartmann; a proposal for a one-year technical assistance and in-service training plan for supporting the inclusive education of Mark Hartmann, 1994; respondent's post-hearing brief, Virginia special education appeal, Loudoun County Public Schools (appellants) v. Joseph and Roxanna Hartmann (respondent); an information alert about the due process hearing re: Mark Hartmann, and an invitation for the public to attend the hearing in support of the Hartmanns; a letter from Clarice Dieter, Advocacy Coordinator, to Roxana Hartmann, offering their assistance in publicizing the due process hearing, August 1, 1994; draft goals and objectives for Mark Hartmann, March 18, 1994; a list of meeting dates between Joseph and Roxana Hartmann and school staff at Ashburn Elementary School, and the issues discussed, October 1993-May 1994; a letter to the Hartmanns from Nancy McBride, hearing officer for the due process hearing re: Mark's school placement, July 1, 1994; occupational therapy evaluations for Mark Hartmann (1994); photocopied pages from a notebook recording daily notes between school staff and Mark's parents, October 1993-Feb. 1994; a report by Kenna Colley, inclusion specialist, after observing Mark in the classroom at Ashburn Elementary School, June 1994; and an article titled *Students' Rights to Inclusion and to Facilitated Communication* by Douglas Biklen, Facilitated Communication Institute.

- 7.9 A large package of loosely bound documents containing reports and correspondence from the school year Mark spent at Ashburn Elementary School, 1993-94. Contains recommendations after a consultation with Julie Hunt, speech and language pathologist (September 1993); a letter to the Hartmanns from the special education supervisor, Loudoun County Public Schools, re: summer speech services for Mark; assorted correspondence with staff at Ashburn Elementary School, including the school principal; correspondence from Jamie Ruppman, advocate for the Hartmann family contracted to help mediate between the Hartmanns and school staff at Ashburn Elementary School, June 1994; amendments from Mark's 1994-95 IEP; a list of meeting dates & issues discussed by the Hartmanns and Ashburn school staff from October 1993 to May 1994; proposed objectives for Mark for the 1994-95 school year; assessments from Mark's teachers at Ashburn Elementary School stating that he does not appear to benefit from inclusion in a regular classroom; annual reports on Mark's progress, 1993-94; Mark's behavior chart, Jan.-May 1994; a letter to the superintendent of Loudoun County Public Schools, from the Hartmanns, requesting that an upcoming IEP conference involve school administrators, May 26, 1994; assessments of Mark's current level of functioning and narrative report cards, 1994; a list of draft goals and objectives for Mark, March 1994; a report to the Hartmanns from Jamie Ruppman, educational consultant, re: recommendations for developing Mark's IEP, March 9, 1994; a list of ideas to be considered in Mark's IEP prepared by his parents for the IEP team, Feb. 28, 1994; a consultant's report by Jamie Ruppman with observations, discussion, and

recommendations for the staff at Ashburn Elementary School, 1993; a letter to the director of special education at Loudoun County Public Schools in preparation for Mark's inclusion in a regular class in the upcoming school year, 1993-94, with numerous reports by Mark's current education team to help Loudoun County Schools prepare for Mark's arrival including his IEP, level of educational performance, teacher observations, speech/language evaluations reports, occupational therapy reports, physical education reports, and a psychological evaluation.

- 7.10 Evaluations and correspondence, 1992-94. Contains a letter to the Director of Special Education, Loudoun County Public Schools, to Jamie Ruppman, with copies of teacher and therapists' recommendations for Mark for the 1994-95 school year; letter to the Hartmanns from the director of special education at Loudoun County Schools and Nancy McBride, hearing officer for the due process hearing, re: Mark Hartmann's school placement, July 1, 1994; a letter to the Superintendent, Loudoun County Schools, from Jamie Ruppman, educational advocate for Mark Hartmann, re: his extended year services, July 5, 1994; a letter to the Hartmanns from the director of special education, Loudoun County Schools, notifying them that she has initiated a due process appeal re: Mark's special education placement status, June 24, 1994; an evaluation of Mark in his first-grade classroom at Butterfield School by his former teacher, 1993; an annual review of Mark by his instructional assistant, May 13, 1993; an occupational therapy report, May 13, 1993; a physical education report, February 1993; an evaluation of Mark by his Grade 1 teacher, November 17, 1992; statement from the inclusion facilitator at Butterfield School, stating that she has seen a positive effect on Mark from his inclusion in a regular classroom, February 10, 1993; a psychological evaluation of Mark, May 11, 1992; a statement by the Principal at Butterfield School, stating that Mark, his classmates, and school staff all benefited from his presence in a regular classroom, February 12, 1993; a copy of Mark's IEP, May 13, 1993; a list of suggestions to be considered in the IEP for Mark, February 28, 1994; a letter to the Hartmanns from Jamie Ruppman, Educational Consultant, re: developing Mark's IEP, March 9, 1994; a letter from the Hartmanns re: an opportunity to visit and observe elementary schools and special education programs in Loudoun County; a chart recording Mark's behavior throughout the school day, Jan.-May 1994; correspondence between the Hartmanns and various staff members at Ashburn Elementary School re: Mark's IEP and necessary services for him, 1994; a draft of goals and objectives for Mark, March 18, 1994; an evaluation of Mark by his Grade 1 instructional assistant, Feb. 5, 1993; a list of hints for working with Mark in a school environment by his parents to the staff of Butterfield School, 1993; and a list of exhibits on behalf of Loudoun County Public Schools, August 30, 1994.
- 7.11 Draft Individual Education Plan (IEP) and other school documents, 1995, n.d. Includes a letter from Kenna Colley re: drafted goals and objectives for Mark's IEP with a copy of the document attached (January 22, 1995); handwritten instructions for shoe-tying; information on the "Communicator" device from ACS (adaptive communication systems)

and documents re: insurance reimbursement for the purchase of the device; and index cards with handwritten facts in Mark's case for the due process hearing.

- 7.12 Reports and correspondence, 1994-1996. Contains an occupational therapy evaluation of Mark Hartmann by Myra Smith Beckler (1994); an educational evaluation of Mark Hartmann by Cathy Thornton (June-July 1994); a letter from the Hartmanns to the Principal of Ashburn Elementary School, re: a meeting to discuss Mark's IEP for 1994-95, May 15, 1994; an evaluation of Mark's current level of functioning, March 18, 1994; a letter to the director of special education for Loudoun County Schools from the Hartmanns, noting their objection to the assignment of Mark's speech and language therapist at Ashburn Elementary School to provide extended summer school services for Mark, July 1, 1994; correspondence between the Hartmanns and the Principal of Ashburn Elementary School, November-December 1994; a letter to Roxana Hartmann informing her of Mark's test results for the TONI-2, October 11, 1994; an independent evaluation report of Mark Hartmann by Patrick Schwarz, May 1996; a CV for Patrick Schwarz; an invoice from Patrick Schwarz; school progress reports, 1995-96; an evaluation of Mark by his special education teacher Kenna Colley, May 10, 1996; anecdotal records of Mark's progress; a summary/recommendations re: a communication consultation for Mark, October 1995; an intervention plan for Mark, April 3, 1995; progress reports from Kipps Elementary School, 1994-1996; a notice of an IEP meeting to Roxana Hartmann from Montgomery County Public Schools, March 5, 1995; a list of Mark's IEP accommodations and annual goals and short-term objectives at Kipps Elementary School, 1994-95; Mark's IEP with Montgomery County Public Schools, 1995-96; and copies of Mark's school tests, 1996.
- 7.13 Evaluations and Observations, 1994-1998. Contains Roxana Hartmann's observation of the autistic classroom at Leesburg Elementary School, the program that was the recommended placement for Mark by Ashburn Elementary School after they determined the inclusive setting at Ashburn Elementary was not appropriate for Mark; a letter to Kathleen Mehfoud from Patricia Radcliffe, director of special education at Montgomery County Public Schools, correcting Kathleen about comments she made regarding the school's special education program, March 12, 1998; a classroom observation of Mark by educational diagnostician Catherine Donaldson, January 1994; a psychological evaluation of Mark while attending Ashburn Elementary School, 1994; an classroom observation of Mark at Ashburn Elementary School by Virginia Houston, February 1994; a document titled "Present level of functioning" for Mark Hartmann, prepared by his parents for the IEP team, February 28, 1994; an observation of Mark Hartmann at Ashburn Elementary School by Kenna Colley, June 1994; an independent evaluation report of Mark Hartmann by Patrick Schwarz, May 1996; and a case synopsis and assessment of the Hartmann v. Loudoun County Board of Education, 1997.

- 7.14 Education Documents, 1997-98. Includes a checklist of Mark's daily school schedule; a detailed assessment of Mark's skills and abilities; progress reports and report cards; documents concerning Mark's IEP accommodations; a consultation summary by Kenna Colley re: Mark's behavior and math strategies; a book of poetry compiled by Mark (March 1997); a consultation summary and recommendations re: Mark by Kenna Colley, Radford University (October 1997); an occupational therapy assessment for Mark; a list of specific activities for fine-motor skill development; a occupational/physical therapy summary note; a music therapy assessment; a speech-language progress report (1996-97); a list of tips for working with Mark in the third grade (1997-98); a psychological report (January 1997); a detailed speech-language evaluation (January 1997); and amendments to Mark's IEP.
- 7.15 Assessments and Reports, 1998-99. Includes strategies for dealing with Mark's behavior (1999); Mark's daily school schedule with comments; an analysis of Mark's aggression, identifying triggers (1999); a behavior plan for Mark (1999); charts and graphs showing Mark's incidents of aggressive behavior; a communication summary for Mark; progress updates; results of a consultation after observing Mark in class by CMI consulting (1999); a transcript of a conversation with Mark re: problems with movement and a behavior plan; results of a consultation summary and recommendations by Virginia Tech (1998); a transcript of a conversation with Mark about his aggressive behavior; a list of Mark's IEP accommodations (1998-1999); progress reports; school work sheets completed by Mark; and journal entries by Mark.
- 7.16 School documents with some evaluations, 1998-2003. Contains a transcript of a conversation with Mark about movement problems and ways to help his behavior; an article titled *A potpourri of Communication Strategies* from Spotlight on Topics in Developmental Disabilities (Fall/Winter 1999); progress reports for Mark (1999-2000); notes from a peer support meeting providing advice for Mark's classmates next year (1999); evaluation forms for Mark and his IEP; correspondence with Blacksburg Middle School re: Mark's IEP, progress and ongoing meetings; a rough draft of a behavior plan; a progress report (1998-99); daily schedule for Mark at Blacksburg High School (1998, 2001); Mark's school worksheets; a cover letter and resume for Mark Hartmann (2003); and several colored photographs of Mark's classmates.
- 7.17 Evaluations, 1994-1999. Contains several speech progress reports (1995-1996); an IEP update (1995-96); and progress report packages for the 1994-95, 1995-96, 1996-97, and 1998-99 school years.
- 7.18 School documents, 1999-2001. Includes some of Mark's school writing assignments; a speech update for the 2000-01 school year; a music therapy update; an occupational therapy consultation note; and Mark's IEP for the 1999-2000 school year.

- 7.19 School documents, 2000-01. Includes a report card for Mark from Blacksburg High School; school writings/assignments by Mark; information on facilitated communication and Mark Hartman; a positive behavioral support plan for Mark (Fall 2000); a consultation report on facilitated communication by the facilitated communication institute, Syracuse University (March 2000); a history of Mark's education prepared by his parents; a PATH progress report after Mark's first year at Blacksburg High School; special education interim reports for different subjects/areas; report cards from Blacksburg High School for Mark (2000-2001); transcripts of conversations between Mark and his teachers using facilitated communication (2000); completed question forms on facilitation strategies for facilitators (Feb.-March 2001); a daily school checklist for Mark including a social communication log (Aug.-Sept. 2000); and a document noting Mark's transition from middle school to high school and the factors that helped make it a success; progress reports (2001).
- 8.1 School documents, 2000-2001. Includes progress reports and completed question forms on facilitation strategies for facilitators (Sept. 2000-May 2001).
- 8.2 Individualized Education Program (IEP), 2001. Includes Mark's IEP (2001); and updated behavior and emergency plans.
- 8.3 School documents, 2002. Includes Mark's school worksheets and writing assignments; a resume for Mark Hartmann with cover letters and a letter of recommendation; progress updates and report cards; and Mark's IEP for the school year 2002-03.
- 8.4 School documents, 2003. Includes Mark's IEP at Blacksburg High School for the school year 2003-04; an abbreviated version of Mark's 2002-03 IEP; a positive behavior support plan for Mark (2003-04); report cards; transcripts of conversations between Mark and his teachers using facilitated communication; progress updates, including working towards Mark being an independent facilitator/typer; and a positive behavior support plan for Mark (2002-03 school year).
- 8.5 School documents, 2004. Includes Mark's IEP at Blacksburg High School for the school year 2004-05; an explanation of Mark's duty list at the athletic facility; progress updates and report cards; transcripts of conversations between Mark and his teachers using facilitated communication; some of Mark's writing and school work; and a list of Mark's daily duties (December 18, 2002).
- 8.6 Surveys, 2004. Surveys completed by Mark's classmates about their experience having Mark as part of their class.
- 8.7 School documents, 2005. Includes a report card and a draft copy of Mark's IEP for the 2005-06 school year; Mark's IEP for the 2003-2004 school year.

Sub-series C: Notebooks with daily communication between school staff and Mark's parents, 1988-2006

- 8.8 Notebooks, 1988-1989. Includes two notebooks containing daily notes between Mark's teachers and parents.
- 8.9 Notebooks, 1990-91. Includes four notebooks containing daily notes between Mark's teachers and parents.
- 8.10 Notebooks, 1991-92. Includes three notebooks containing daily notes between Mark's teachers and parents. One of the notebooks is of his year in Grade 1 at Butterfield School (Sept. 1992-June 1993).
- 8.11 Notebook, 1994. Contains a notebook with daily notes between Mark's teachers and parents from his year in Grade 3 at Ashburn Elementary School (September-December 1994).
- 8.12 Notebook, 1995-96. One notebook containing daily updates from school when Mark was in Grade 4, Aug. 1995-March 1996.
- 8.13 Notebooks, 1996-2003. Contains two notebooks with daily notes between Mark's mother and school staff (1997-98 and 2003); and a notebook with notes written to Santa by Mark (1996).
- 8.14 Notebook, 1998-1999. One notebook with daily notes between Mark's teachers and parents, August 1998-May 1999.
- 8.15 Notebooks and Schoolwork, 1998-1999. Includes Mark's daily school schedule with comments (Aug.-Oct. 1999); transcripts of conversations between Mark and his teachers using facilitated communication; and notebooks containing daily notes between Mark's teachers and his mother Roxana (1999).
- 8.16 Notebook, 1999. Contains a notebook with daily notes between Mark's teachers and parents from his year in Grade 8 (November 1999-February 2000).
- 8.17 Notebooks, 2000. Contains two notebooks with daily entries between Mark's mother Roxana and school staff.
- 8.18 Notebooks for English and Social Studies, 1999-2000. The second part of the English notebook contains daily notes between Mark's mother Roxana and Mark's teachers.
- 8.19 Notebook, 2001-2002. Contains a notebook with notes between Mark's teachers and parents.
- 8.20 Notebook, 2002. Contains a notebook with notes between Mark's teachers and parents (April-December 2002).

- 8.21 Notebook, 2003-04. Contains a notebook with daily notes between Mark's mother Roxana and school staff.
- 8.22 Notebook, 2004. Contains a notebook with daily entries between Mark's parents and school staff, 2004.
- 8.23 Notebooks, 2005, n.d. Contains two notebooks with notes between Mark's teachers and parents. The first notebook is from September 2005-February 2006. The other notebook has no year on it.
- 8.24 Notebook with daily entries of Mark's behavior and activities, 2006.

Series IV: News clippings, articles and books, 1992-2010

- 9.1 News clippings and magazines, August-December 1994. Contains news clippings about the Hartmanns battle for inclusive education for Mark. Newspapers include *Leesburg Today*, *The Washington Post*, *The Loudoun Times-Mirror*, and *Eastern Loudoun Times*. Also includes an issue of People magazine with a story on Mark and his family and an issue a few weeks later containing letters from readers about the story.
- 9.2 News clippings, 1994-1998. Contains news clippings about Mark's court case; articles about other children with disabilities; *Educating Loudoun County: a case study. Hartmann v. Loudoun County Board of Education*, by Russell Fleenor, Patti Talbot and Christopher Walter, April 7, 1997; letters in response to editorials published in newspapers on the issue of inclusive classrooms (1998); a press release with a statement from Mark Hartmann and his family (August 20, 1996; Feb. 21, 1995); Memorandum Opinion in the U.S. District Court, eastern Virginia, Mark Hartmann and his parents (plaintiffs) v. Loudoun County Board of Education (defendant), November 1996; and an article on Mark Hartmann and his plight published in People magazine (Oct. 17, 1994).
- 9.3 News clippings, 1995-2000. Contains news clippings about facilitated communication; the success of intense therapy for children with autism; an article re: legal matter concerning Mark's eligibility to enroll in school in Montgomery County; Judge Brinkema's decision to allow Mark to be mainstreamed by Loudoun County Public Schools; the Hartmann's decision to take the case to the United States Supreme Court; inclusion of disabled students in regular classrooms; and an article on understanding autism from Newsweek. Most of the clippings are from *The Washington Post*, *Roanoke Times & World News*, *Leesburg Today*, *Eastern Loudoun Times*, *The New York Times*, and *USA Today*.
- 9.4 News/Magazine articles, 1992-2000. Contains several articles, including *New Theories Help Explain Mysteries of Autism*, from the New York Times, December 28, 1999; *The Early Origins of Autism*, Scientific American, February 2000; and *Attention-Deficit/Hyperactivity Disorder*, Nichcy Briefing paper [National Dissemination Center for Children with

- Disabilities], October 1994; a checklist for a hyperactive child from Howard University Hospital; a document titled *Reasonable Accommodations in the Workplace for Adults with Learning Disabilities & Attention Deficit Disorder*; a learning style checklist; a news article on financier Charles Schwab's battle with dyslexia, 1992; a packet of documents titled *The Understanding Learning Disabilities Course*; and a folder of news clippings re: Mark Hartmann and his family's legal battle for inclusion in a regular classroom, 1994-1997.
- 9.5 News clippings and magazine articles, 1993-2004. Clippings mostly concern the Hartmann's legal battle with the Loudoun County School Board but there are also a few articles on facilitated communication and inclusion in education. Clippings are from *Leesburg Today*, *Loudoun Times Mirror*, *The Washington Post*, *Eastern Loudoun Times*, *The Sterling Observer*, *People Magazine*, *TASH Newsletter (The Association for Persons with Severe Handicaps)*, *Leesburg Today*, *The Roanoke Times*, *Blacksburg Sentinel*, *The New York Times*, and *USA Today*. Also contains press releases by Gerard Rugel, attorney for the Hartmanns, after Judge Leonie Brinkema ruled in favor of the Hartmanns on November 27, 1996, and a press release announcing the Hartmanns petition to the Supreme Court of the United States. There are also nomination papers for the 1999 Parents of the Year Award for Roxana and Joseph Hartmann; a speech by Joseph Hartmann about Mark in celebration of Inclusion Awareness Week (2001); and a press release from the Hartmanns re: Mark's success with inclusion in education (2004).
- 9.6 News clippings (scrapbook style) with some correspondence, 1994-1998. News clippings provide a good overview of the entire legal battle over Mark Hartmann's education placement. Includes many letters to the editor expressing support for both sides of Mark's case. Includes a letter to the editor of the *Eastern Loudoun Times* written by Joe Hartmann; letters written by Roxanna Hartmann to the *Roanoke Times* about letters and articles printed in the newspaper referring to Mark Hartmann's case; a document on the impact of due process on families by Joseph and Roxanna Hartmann; correspondence re: a presentation by Patrick Schwartz at the 1997 TASH conference "We the People, ALL the People" with the Hartmanns about their experience with the Virginia Federal Court while advocating for Mark's inclusion in a regular classroom; a letter by Roxana Hartman to the editor of *The Washington Post* about an editorial printed in the paper about Mark's case; and a profile of Mark's case that was published in *People* magazine (October 17, 1994).
- 9.7 Book—*A Live Controversy: a story of autism and a family's determination* by Roxana and Joseph Hartmann. Richmond, Virginia: Brandylane Publishers Inc., 2010.

Series V: Audiovisual material, 1990-2004, n.d.

Sub-series A: Audiocassettes, 1995, n.d.

- 9.8 Cassette tape with WNIS interview of Roxana Hartmann, March 21, 95.

9.9 Audio cassette tape labelled "Mark Hartmann 2 Parts. NPR Nov. 6 & 7".

9.10 Two audiocassettes labeled "NPR Nov. 6 & 7".

Sub-series B: USB drive, 1990-1999, n.d.

9.11 USB stick with videos of Mark, 1990-1999, n.d. File titles are listed below:

- American Family with Dick Dingman
- Autism experts with Mark at early age
- Autism Spectrum II Conference
- Facilitated Communication Syracuse
- Mark Hartmann in class at Kipps
- Mark Hartmann 1993 Ashburn E.S.
- Mark Hartmann at 8th Grade Dance
- Mark Hartmann at home 1990 to 1991
- Mark Hartmann at home March 1990
- Mark Hartmann at Kipps E.S. 2
- Mark Hartmann at Kipps E.S. 3
- Mark Hartmann at Kipps E.S. 4
- Mark Hartmann at Kipps E.S.
- Mark Hartmann First Grade 2
- Mark Hartmann First Grade
- Mark Hartmann Graduation Celebration
- Mark Hartmann HS Graduation
- Mark Hartmann in Kindergarten
- Mark Hartmann in Lombard 1991
- Mark Hartmann in School May 2002
- Mark Hartmann Learning to Ride a Bike
- Mark Hartmann March 17 1990
- News Hour with Jim Lehrer March 24
- News Hour with Jim Lehrer
- Peer Training
- Photo Presentation of Mark's Educational Journey
- Roxana Hartmann working with Mark Feb 10 1999
- Teachers discuss Mark's Fifth Grade 1
- Teachers discuss Mark's Fifth Grade 2
- Teachers discuss Mark's Fifth Grade 3
- Teachers discuss Mark's Fifth Grade 4

Sub-series C: Videocassettes, 1990-2004, n.d. (Box 10)

The videocassettes are numbered 1-32, with an additional unnumbered tape.

1. PBS News Hour 1994
2. News Hour 3/24/98
3. Every Step of the Way: Toward Independent Communication. Syracuse University, 1994
4. Mark Hartmann's Graduation June 6, 2004. Blacksburg High School Graduation Ceremony
5. Math—P.E.—Music—Snack 5/14/97
6. Mark in Calendar Read Group and PE 5/28/93
7. Mark Butterfield--Seatwork 6/2/93
8. SOL Exam—Lockers—Science Class—English Paper Pres—English Literature
9. Lunch, Jobs, Specials
10. Mark Tape 1 of 2 4/30/96
11. American Family 4/11/95
12. Mark at Home FC Feb. 1999
13. Mark Butterfield—Seatwork 6/2/93
14. Autism Spectrum II
15. Mark Andrew Hartmann updated 2004
16. Peer Training
17. Mark Hartmann's Graduation June 6, 2004. Blacksburg High School Graduation Ceremony
18. Lunch, Jobs, Specials
19. Peer Planning—Behavior
20. FC Mark Hartmann October 1991
21. Mark in Speech—Butterfield 1993
22. Seatwork 6/2/93 PE—Math 6/8/93
23. Mark Hartmann Butterfield School 1993
24. Mark Hartmann's Graduation Celebration May 22, 2004
25. Teacher Panel—Kipps
26. 8th Grade Dance 5/12/00
27. Lehrer News March 24, 1998
28. Mark's Bike Tape March 1996
29. Laura & Mark—Mark working with Mom, 1990
30. Mark Hartmann at Home Tape 1 of 2 1990
31. School Play 3rd Grade Ashburn 1993
32. Mark and Laura Summer 1991

The remaining tape is not numbered and is labeled "Martha Stewart Cooking 88".

Sub-series D: DVDs, 1990-2004, n.d. (Box 10)

There are 33 DVDs. The titles are listed below:

Set 1:

- SOL Exam; Lockers; Science Class; English Paper Prep; English Literature
- Mark 4/30/96 Disc 1
- Mark 4/30/96 Disc 2
- Lunch/Jobs/Specials
- American Family 4/11/95
- Mark at Home FC Feb. 1999
- Mark Butterfield Seatwork 6/2/93
- Autism Spectrum II

Set 2:

- Mark Hartmann Butterfield School 1993
- 6/2/93 Seatwork in Class 6/8/93 Math 6/8/93 PE—Math
- Mark at Speech 2/4/93
- FC Mark Hartmann Oct. 1991
- Peer Planning—Behavior
- Lunch/Jobs/Specials
- Peer Training
- Mark Andrew Hartmann

Set 3:

- PBS News Hour 1994
- PBS News Hour 3/24/98
- Every Step of The Way: Toward Independent Communication. Syracuse University, 1994
- Mark Hartmann's Graduation, June 6, 2004. Blacksburg High School Graduation Ceremony
- Math—P.E—Music—Snack 5/14/97
- Mark in Calendar Read Group and PE 5/28/93
- Mark Butterfield Seatwork 9/2/93

Set 4:

- Mark and Laura Summer 1991/Playing with Mark 1992
- Mark 10/5/94

- Mark Hartmann at Home 1990
- Laura at Home 1990
- Mark's Bike Tape March 1996
- 8th Grade Dance 5/12/00
- Kipps Teacher Panel (Whole Tape)
- Mark Hartmann's Graduation Celebration, May 22, 2004