

Howard M. Knoff, Ph.D.

Involvement as an Expert Witness in Federal or State Cases (Trial or Deposition); Sample Due Process Hearings

Updated: January 6, 2023

9/2021 - present In the Matter of A.J., a minor child v. North Clackamus (OR) School District. In the United States District Court, Western District of Oregon, Portland Division. (Filed August 6, 2020).

Working as an Expert Witness for the parents of A.J., I was asked to write an Expert Report and testify in Court relative to the allegations that the School District violated A.J.'s rights under Title VI (Racial Discrimination), the Equal Protection clause of the Fourteenth Amendment to the U.S. Constitution (Racial Discrimination), and Oregon State Law (Discrimination in Education and Retaliation). The allegations occurred when A.J. was in First Grade, and represented both individual and systemic events occurring across the entire District.

3/2018 - 3/2019 Federal Court. Working for the TN Attorney General. In the Matter of J.M., a minor student, by and through this parent, Promise Mata v. Tennessee Department of Education, Tennessee State Board of Education, and Dickson County School District, Nashville, TN.

Working as an Expert Witness for the TN Attorney General's Office to support the TN Department of Education in a case where they are accused on not providing sufficient professional development and training to districts to decrease the use of seclusions and restraints with students with disabilities.

12/2017 -
11/2018 Federal Court. In the Matter of Chad and Tonya Richardson, Individually, and as Parents and Next Friends of L. v. Omaha (AR) School District; Jacob Sherwood, Superintendent; Amanda Green, Principal; and Dawn Dillon, Teacher. In the United States District Court, Western District of Arkansas, Harrison Division.

Working as an Expert Witness for the Parents above in a case involving their son who is disabled (autistic, and other behavioral/mental health issues) who was excessively bullied (without appropriate District response), and then was put into a more restrictive educational placement that led quickly to full exclusion and home-bound instruction in violation of LRE and FAPE.

- 1/2017 Jacquie Albright v. Mountain Home School District (AR). Expert Witness. In the United States District Court, Western District of Arkansas (Harrison Division).
- Case requesting a Reversal of Agency Decision relative to a Due Process Hearing decision that was conducted under the auspices of the Arkansas Department of Education [Jacquie Albright (as Parent of Child Doe) v. Mountain Home School District; DPH-15-12] [Federal Civil Action No. 3:16-CV-03011-TLB]
- 8/10/2016 - 6/2018 Diana Mathis and Raymond Cooper (Parents) v. Arkansas School for the Blind (AR). Testimony at Due Process Hearing. Case No. H-16-48.
- Follow-up Consultation for next two years with Parents and School District to ensure implementation of the Settlement Agreement.
- 5/2016 - 6/2018 Randles v. Texarkana School District (AR). Testimony at Due Process Hearing. Case No. H-15-21; Cases No. H-16-27 and EH-16-29
- 7/2015-2/2016 Federal Court. Working for the Parents as Plaintiffs (Paris, AR). Expert Witness Report. In the United States District Court, Western District of Arkansas (Fayetteville Division); Civil Action No. 2:15-CV-2197-PKH (Filed November 2, 2015). A.H., by and through her Parent, C.H vs. Paris School District.
- This case involved A., a 6th grade student with autism, who—pursuant to the First, Fourth, and Fourteenth Amendments the U.S. Constitution, as well as IDEA, ESEA, and Section 504 of the Rehabilitation Act of 1973—was denied, solely by reason of her disability, a free and appropriate public education regardless of the nature or severity of her handicap; an education designed to meet her individual educational needs as adequately as those of her non-handicapped peers; reasonable modifications in policies, practices, or procedures when the modifications are needed to avoid discrimination on the basis of disability; the right to free educational services, except for those fees that are imposed on non-disabled students or their parents; the right to placement in the least restrictive environment; the right to facilities, services, and activities comparable to and with her non-disabled peers; and the right to an evaluation prior to an initial placement and when any subsequent significant change in her placement occurred. In addition, A. was denied her right to be secure and protected from physical assault/restraint and the abuse of her person.
- 2/2015-2/2017 Federal Court. Working for the Parents as Plaintiffs (Bentonville, AR). Expert Witness Report. In the United States District Court, Western District Of Arkansas (Fayetteville Division); Civil Action No. 5:15 Cv 5083-Pkh

(Filed on April 20, 2015). Ron and Lauren Parrish, As Parents of L; Victor and Laura Craig, As Parents of A; Casey and Chastity Laws, As Parents of G; and Rachelle Siverly, As Parent of S (Plaintiffs) vs. Bentonville School District; Michael Poore, Former District Superintendent; Tanya Sharp, District Executive Director Student Services; Rebecca Powers, Travis Riggs, Joe Quinn, Willie Cowgur, Matthew Burgess, Brent Leas, Grant Lightle, In Their Official Capacity as the Bentonville School Board of Education; Maureen Bradshaw, District Special Education Coordinator, Arkansas Department of Education; and Johnny Key, Commissioner.

This case involved the failure of the Defendants to protect the Plaintiff's constitutionally-secured property and equal protection interests when they failed to intervene or take appropriate action with regard to: (a) the segregation of the Plaintiffs' Children based on their diagnosis of autism; (b) the use of physical restraints and seclusions; (c) the failure to use evidence-based practices when educating students with autism; (d) the failure to provide needed related services and other needed educational supports and services; and (e) the denial of an appropriate education free from discrimination to said children in the Least Restrictive Environment.

10/7/2013 Parents/Plaintiffs (New Orleans, LA). Expert Witness Report. In the United States District Court, Eastern District of Louisiana (New Orleans).

Case involved the right of Plaintiffs (representing their son), under federal and state law, to a full reimbursement for an Independent Educational Evaluation (IEE) conducted during the 2011-2012 school year. [Seth B. v. Orleans Parish School District. Case 2:13-cv-06068-NJB-DEK]

7/2010-7/2011 Kelly, Kelly, & Allman (Hendersonville, TN). Expert Witness. In the United States District Court for the Middle District of Tennessee (Nashville).

Case involved the physical abuse of prekindergarten students with disabilities at the hands of their teachers. [Jackson, Minnis, and Long v. the Sumner County (TN) Board of Education and Donna Weidenbenner (individually)].

7/2003-3/2005 Federal Court. Working for the AR Attorney General and Arkansas Department of Education.

Expert Witness in a Federal Court case focusing on the State's enactment of its responsibilities under the Comprehensive Personnel Development requirement of the Individuals with Disabilities Education Act (IDEA). [Bradley v. Arkansas Department of Education and Williford School District]

- 1/1999-7/2003 Legal Aid Society of Palm Beach County (FL). Expert Witness.
 Consultation on numerous exceptional student education cases heard in state or district court relative to their special education and discipline/school expulsion and manifestation status.
- 1/1999-7/03 Southern Legal Counsel, Inc. Gainesville, FL. Expert Witness.
 Consultation on numerous exceptional student education cases heard in state or district court that related to their special education and discipline/school expulsion and manifestation status.
- 9/1991-12/1995 Thrun, Maatsch and Nordberg, Lansing, MI, Expert Witness.
 Consultant on statewide court case addressing social skills training in elementary classroom settings using a state-developed curriculum and the children's involvement in/responses to that training. [Settled out of Court]
- 10/1989-6/1993 Federal Court (Four Hearings). Legal Services Corporation of Alabama.
 Montgomery, AL. Expert Witness.
- In four federal court cases representing a class of African-American students, receiving services as students with emotional disturbances, against the Montgomery (AL) Public Schools. [Most notable cases: Cory M. and Chris D. v. Montgomery Public School District]

Howard Marc Knoff, Ph.D.

President, Project ACHIEVE Educational Solutions
Project ACHIEVE Press
International Consultant, Author, Lecturer, Expert Witness

Licensed Psychologist (Arkansas; formerly in New York and Florida)
NCSP—Nationally Certified School Psychologist
Certified School Psychologist (formerly in New York and Massachusetts)

Contact Information

11600 Court of Palms, Unit 703
Fort Myers, FL 33908

Phone: (813) 495-3319
FAX: (501) 312-1493

E-mail: howieknoff1@projectachieve.info

Website: www.projectachieve.info

Blog: www.projectachieve.info/blog