
ARKANSAS DEPARTMENT OF EDUCATION
SPECIAL EDUCATION UNIT

DISPUTE RESOLUTION REPORT FOR THE ADVISORY COUNCIL
FOR THE EDUCATION OF INDIVIDUALS WITH DISABILITIES

JARED HOGUE, PROGRAM ADMINISTRATOR
DISPUTE RESOLUTION

October 23, 2018

The following allegations were addressed in complaint investigation reports and due process hearing decisions completed in the first quarter of the calendar year. An issue that has been substantiated by facts as determined by a complaint investigation team or due process hearing officer is followed by (S). An issue in which one or more allegations were substantiated while other allegations were not will be marked at partially substantiated (PS). An issue that was not substantiated is followed by (NS). Rendered decision found to have no corrective action is followed by (No C/A).

DUE PROCESS HEARING ISSUES

H-18-29

Failure to comply with provisions set forth in Part B of the Individuals with Disabilities Education Act (IDEA). Specifically by failing to provide a free appropriate public education. (S)

COMPLAINT INVESTIGATION ISSUES

C-18-24

1. That the District failed to provide the Student with FAPE by not implementing the Student's IEP, specifically
 - A. by failing to provide services as documented in the IEP, which states that the occupational therapist would work with the education team to provide specific OT-related practices in the academic setting (NS)
 - B. by not providing a 1:1 aide, as documented; and (NS)
2. That the District failed to provide FAPE by not considering the concerns of the Complainant (NS)

C-18-25

1. That the district failed to implement child find requirements (S)

2. That the District failed to implement the Student's IEP as written (NS)
3. That the District held conferences without all required IEP team members (S)
4. That the District changed the Student's placement without informing the parents or holding a conference with the required IEP team members (S)

C-18-26

1. That the District failed to provide FAPE by not considering the strengths of the child for enhancing the child's education in development and implementation of the child's IEP (S)
2. That the District failed to provide FAPE by not implementing the Student's IEP as written, specifically in the areas of:
 - A. provision of speech therapy and occupational therapy (S)
 - B. providing periodic reports on progress toward annual goals (NS)

C-18-27

1. That the District failed to provide the Student with FAPE by not providing services comparable to those described in the Student's IEP from the previous public agency until adopting the previous IEP or developing and implementing a new IEP (S)
2. That the District failed to provide FAPE by not implementing the Student's (new) IEP as written, specifically in the areas of:
 - A. provision of speech and occupational therapy (S)
 - B. providing periodic reports toward annual goals (NS)
3. That the District failed to re-evaluate the Student within the required time frame (S)
4. That the District failed to provide required notices and a revised copy of the (new) IEP (NS)

C-18-28

1. That the District failed to provide the Student with FAPE by not implementing the IEP as written (S)

OPEN HEARINGS

(11)

| <u>Case#</u> | <u>School District</u> | <u>Status</u> |
|---------------------|-------------------------------|------------------------|
| <u>2016</u> | | |
| H-16-14 | LRSB | (S) Pending Compliance |
| <u>2017</u> | | |
| H-17-13 | Bentonville SD | (S) Pending Compliance |
| <u>2018</u> | | |
| H-18-04 | Searcy Co. SD | (S) Pending Compliance |
| H-18-08 | LRSB | (S) Pending Compliance |

| | | |
|----------|-----------------|------------------------|
| H-18-21 | Vilonia SD | (S) Pending Compliance |
| H-18-22 | Vilonia SD | (S) Pending Compliance |
| EH-18-23 | Vilonia SD | (S) Pending Compliance |
| H-18-29 | Lawrence Co. SD | (S) Pending Compliance |
| H-18-30 | Vilonia SD | Pending Hearing |
| H-18-31 | Sheridan SD | Pending Hearing |

2019

| | | |
|---------|-----------|-----------------|
| H-19-04 | Benton SD | Pending Hearing |
|---------|-----------|-----------------|

CLOSED HEARINGS

(4)

| <u>Case#</u> | <u>School District</u> | <u>Status</u> |
|---------------------|-------------------------------|----------------------|
|---------------------|-------------------------------|----------------------|

2018

| | | |
|---------|-------|-----------|
| H-18-32 | PCSSD | Dismissed |
|---------|-------|-----------|

2019

| | | |
|---------|----------------|-------------------|
| H-19-01 | Jonesboro SD | Dismissed/Settled |
| H-19-02 | Crossett SD | Dismissed |
| H-19-03 | Bentonville SD | Dismissed |

OPEN COMPLAINTS

(5)

| <u>Case#</u> | <u>School District</u> | <u>Status</u> |
|---------------------|-------------------------------|----------------------|
|---------------------|-------------------------------|----------------------|

2018

| | | |
|---------|-------------------------------|--------------------|
| C-18-12 | Hope SD | Pending Compliance |
| C-18-19 | NLRSD | Pending Compliance |
| C-18-26 | Fordyce SD | Pending Compliance |
| C-18-27 | Jacksonville North Pulaski SD | Pending Compliance |

2019

| | | |
|---------|-----------|-----------------------|
| C-19-03 | Bryant SD | Pending Investigation |
|---------|-----------|-----------------------|

CLOSED COMPLAINTS

(6)

2018

| | | |
|---------|-------------------------------|------------------------|
| C-18-13 | Jacksonville Pulaski North SD | Closed/ Met Compliance |
| C-18-24 | Van Buren SD | Report Issued, No CA |
| C-18-25 | Clarendon SD | Closed/Met Compliance |
| C-18-28 | NLRSD | Report Issued, No CA |

2019

| | | |
|---------|---------------|-----------------|
| C-19-01 | Pine Bluff SD | Denied/Non-IDEA |
| C-19-02 | Lonoke SD | Denied/Non-IDEA |