

**Division of Elementary and Secondary Education - Office of Special Education
Advisory Council for the Education of Children with Disabilities
Dispute Resolution, October 2021**

The following allegations were addressed in complaint investigation reports and due process hearing decisions completed in the previous quarter. 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 as partially substantiated (PS). An issue that was not substantiated is followed by (NS). Rendered decisions found to have no corrective action is followed by (No C/A).

DUE PROCESS HEARING ISSUES

H-20-34 and H-21-23

1. 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 (FAPE) (S)

H-21-26

1. 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 (FAPE) (S)

H-21-27 and H-21-37

1. 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 (FAPE) (S)

H-21-31

1. 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 (FAPE) (S)

H-21-32

1. 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 (FAPE) (S)

H-21-34

1. 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 (FAPE) (S)

COMPLAINT INVESTIGATION ISSUES

C-21-25

1. that the District failed to develop and Implement an IEP for the Student that is

- reasonably calculated to allow for meaningful progress [8.01.1], specifically by not following the IEP in geometry class; and (S)
2. that the District failed to complete a progress review for a child that is in danger of failing a content area course [17.06.3.3]; and (S)
 3. that the District failed to follow procedural requirements by refusing to convene the IEP team when requested by the Parent [8.06]. (NS)

C-22-01

1. that the District failed to develop and implement an IEP for the Student that is reasonably calculated to allow for meaningful progress [8.01.0], specifically by not providing the accommodations and modifications listed in the IEP; and (S)
2. that the District failed to follow procedural requirements by not providing a prior written notice (notice of action) to the Parent after the IEP team meeting [9.04.1.0] (S)

OPEN HEARINGS

(28)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2016</u>		
H-16-14	LRSD	Pending Compliance
<u>2019</u>		
H-19-22	Lakeside SD	Pending Compliance
<u>2020</u>		
H-20-22	Lakeside SD (Chicot)	Pending Compliance
H-20-28	Heber Springs SD	Pending Compliance
H-20-29	El Dorado SD	Pending Compliance
H-20-34	Russellville SD	Pending Compliance
<u>2021</u>		
H-21-01	Beebe SD	Pending Compliance
H-21-02	Mayflower SD	Pending Compliance
H-21-07	Mayflower SD	Pending Compliance
H-21-11	Greenbrier SD	Pending Hearing
H-21-13	Atkins SD	Pending Hearing
H-21-18	Atkins SD	Pending Hearing
H-21-23	Russellville SD	Pending Compliance
H-21-26	PCSSD	Pending Compliance
H-21-27	Palestine-Wheatley SD	Pending Compliance
H-21-29	Helena-West Helena SD	Pending Hearing
H-21-32	Palestine-Wheatley SD	Pending Compliance
H-21-34	Benton SD	Pending Compliance
H-21-36	Greenbrier SD	Pending Hearing
H-21-37	Palestine-Wheatley SD	Pending Compliance
H-21-38	Palestine-Wheatley SD	Pending Hearing
H-21-39	Palestine-Wheatley SD	Pending Hearing
<u>2022</u>		
H-22-01	Palestine-Wheatley SD	Pending Hearing
H-22-03	Greenwood SD	Pending Hearing
H-22-04	Van Buren SD	Pending Hearing

H-22-05	Benton SD	Pending Hearing
H-22-06	Poyen SD	Pending Hearing
H-22-07	Monticello SD	Pending Hearing

CLOSED HEARINGS

(11)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2020</u>		
H-20-02	Monticello SD	Met Comp./Closed
H-20-09	Russellville SD	Met Comp./Closed
H-20-15	Atkins SD	Met Comp./Closed
<u>2021</u>		
H-21-02	Monticello SD	Dismissed
H-21-21	Atkins SD	Dismissed
H-21-28	Pocahontas SD	Dismissed
H-21-30	Academics Plus Charter SD	Dismissed
H-21-31	PCSSD	Met Comp./Closed
H-21-33	Academics Plus Charter SD	Dismissed
H-21-35	Lawrence Co. SD	Dismissed
<u>2022</u>		
H-22-02	Conway SD	Dismissed

OPEN COMPLAINTS

(4)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2021</u>		
C-21-06	KIPP Delta SD	Pending Compliance
C-21-20	Southside SD	Pending Compliance
C-21-25	Bryant SD	Pending Compliance
<u>2022</u>		
C-22-01	PCSSD	Pending Compliance

CLOSED COMPLAINTS

(4)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2021</u>		
C-21-18	Hope SD	Met Comp./Closed
C-21-23	Bentonville SD	Met Comp./Closed
<u>2022</u>		
C-22-02	Bentonville SD	Withdrawn
C-22-03	Palestine-Wheatley SD	Withdrawn