

**Division of Elementary and Secondary Education - Office of Special Education
Advisory Council for the Education of Children with Disabilities
Dispute Resolution, October 2022**

The following allegations were addressed in due process hearing decisions and complaint investigation reports 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-22-30

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). (NS)

H-22-34

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). (PS)

H-22-35

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). (NS)

H-22-38

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)

OPEN HEARINGS

(30)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2020</u>		
H-20-29	El Dorado SD	Pending Compliance
<u>2021</u>		
H-21-27/37	Palestine-Wheatley SD	Pending Compliance
H-21-32	Palestine-Wheatley SD	Pending Compliance
H-21-34	Benton SD	Pending Compliance
H-21-39	Palestine-Wheatley SD	Pending Hearing
<u>2022</u>		
H-22-01	Palestine-Wheatley SD	Pending Compliance
H-22-16/27	Greenbrier SD	Pending Hearing
H-22-25	El Dorado SD	Pending Compliance
H-22-34	LRSD	Pending Compliance
H-22-38	Benton SD	Pending Compliance
H-22-51	Marion SD	Pending Hearing
H-22-52	Palestine-Wheatley SD	Pending Hearing
H-22-53/ H-23-07	Nevada SD	Pending Hearing
<u>2023</u>		
H-23-01	Harmony Grove SD	Pending Hearing
H-23-02	Greenwood SD	Pending Hearing
H-23-03	Marion SD	Pending Hearing
H-23-04	Jacksonville Pulaski North SD	Pending Hearing
H-23-05	Beebe SD	Pending Hearing
H-23-06	Paragould SD	Pending Hearing
H-23-08	Vilonia SD	Pending Hearing
H-23-10	LRSD	Pending Hearing
EH-23-11	Harmony Grove SD	Pending Hearing
H-23-12	Arch Ford Co-op/Quitman SD	Pending Hearing
H-23-13	Quitman SD	Pending Hearing
EH-23-14	Booneville SD	Pending Hearing
H-23-15	Searcy SD	Pending Hearing
H-23-16	Booneville SD	Pending Hearing

CLOSED HEARINGS

(17)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2020</u>		
H-20-28	Heber Springs SD	Met Compliance/Closed
<u>2021</u>		
H-21-01	Beebe SD	Overtured
H-21-36	Greenbrier SD	Met Compliance/Closed
<u>2022</u>		
H-22-11	Ashdown SD	Dismissed
H-22-30	Bryant SD	Decision Issued/No C/A
H-22-31	Cave City SD	Dismissed
H-22-35	Searcy SD	Decision Issued/No C/A
H-22-36	Jasper SD	Dismissed
H-22-37	Lisa Academy SD	Dismissed
H-22-39	Hazen SD	Dismissed
H-22-40	Conway SD	Dismissed
H-22-43	Academics Plus	Dismissed
H-22-44	Beebe SD	Dismissed
H-22-48	Cave City SD	Dismissed
H-22-49	Magnet Cove SD	Dismissed
H-22-50	Marion SD	Dismissed
<u>2023</u>		
EH-23-09	Booneville SD	Dismissed

COMPLAINT INVESTIGATION ISSUES

C-22-35

1. that the District failed to determine, on an individual basis. In accordance with CFR 300.320 through 300.324, that the services are necessary for the provision of FAPE to the Student (NS)

C-22-37

1. that the District failed to develop and implement an IEP for the Student that is reasonably calculated to allow for meaningful progress (NS)
2. that the District failed to provide FAPE listed in the IEP (NS)
3. that the District failed to conduct manifestation determination reviews within the requirements by law (NS)

C-22-38

1. that the District failed to develop and implement an IEP for the Student that is reasonably calculated to allow for meaningful progress, specifically, that the District failed to provide supports agreed upon by the IEP team (NS)
2. that the District failed to provide special education services in the Least Restrictive Environment (NS)

OPEN COMPLAINTS

(6)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2022</u>		
C-22-20	Lakeside Chicot SD	Pending Compliance
C-22-25	LISA Academy	Pending Compliance
C-22-27	Decatur SD	Pending Compliance
C-22-28	West Memphis SD	Pending Compliance
C-22-33	White Hall SD	Pending Compliance
C-22-34	KIPP Delta SD	Pending Compliance

CLOSED COMPLAINTS

(7)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2022</u>		
C-22-21	Paragould SD	Closed/Met Compliance
C-22-35	Bentonville SD	Closed/No C/A
C-22-37	Magnet Cove SD	Closed/No C/A
C-22-38	Magnet Cove SD	Withdrawn
<u>2023</u>		
C-23-01	Springdale SD	Withdrawn
C-23-02	PCSSD	Denied
C-23-03	Van Buren SD	Denied