

**Division of Elementary and Secondary Education - Office of Special Education
Advisory Council for the Education of Children with Disabilities
Dispute Resolution, January 2025**

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 due process hearing officer or complaint investigation team 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 are followed by (No C/A).

DUE PROCESS HEARING ISSUES

H-24-09

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-24-38

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
(44)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2023</u>		
H-23-08	Vilonia SD	Pending Compliance
H-23-17	Palestine-Wheatley SD	Pending Compliance
H-23-29/ H-24-04	LRSD	Pending Compliance
H-23-35/ H-24-09	Vilonia SD	Pending Hearing

2024

H-24-01	Vilonia SD	Pending Compliance
H-24-02	PCSSD SD	Pending Compliance
H-24-03	Greenwood SD	Pending Compliance
H-24-09	Vilonia SD	Pending Compliance
H-24-10	Magnet Cove SD	Pending Compliance
H-24-11	Conway SD	Pending Compliance
H-24-15	Cabot SD	Pending Compliance
EH-24-17	Malvern SD	Pending Compliance
H-24-21	Springdale SD	Pending Compliance
H-24-23	Malvern SD	Pending Compliance
H-24-27/30	PCSSD	Pending Compliance
H-24-29	Quitman SD	Pending Compliance
H-24-31	Osceola SD	Pending Compliance
H-24-32	Springdale SD	Pending Compliance
EH-24-33	Fort Smith SD	Pending Compliance
H-24-34	Scholarmade Achievement SD	Pending Compliance
H-24-38	Magnet Cove SD	Pending Compliance
H-24-39	Benton SD	Pending Hearing
H-24-40	Vilonia SD	Pending Compliance
H-24-41	KIPP Delta SD	Pending Hearing
H-24-42	Springdale SD	Pending Hearing
H-24-43	Bentonville SD	Pending Hearing
H-24-45	PCSSD	Pending Hearing
H-24-46	Benton SD	Pending Hearing
H-24-48	PCSSD	Pending Hearing
H-24-49	Arkansas Virtual Academy	Pending Hearing
H-24-50	Fort Smith SD	Pending Hearing
H-24-51	Quitman SD	Pending Hearing

2025

H-25-01	Hope SD	Pending Hearing
H-25-02	Melbourne SD	Pending Hearing
H-25-04	Lakeside SD	Pending Hearing
H-25-05	Southside SD	Pending Hearing
H-25-14	Gravette SD	Pending Hearing
H-25-15	Jonesboro SD	Pending Hearing
H-25-18	Gravette SD	Pending Hearing
H-25-19	Conway SD	Pending Hearing
H-25-20	PCSSD	Pending Hearing

CLOSED HEARINGS
(19)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2023</u>		
H-23-22	Vilonia SD	Met Compliance/Closed
H-23-18	PCSSD	Met Compliance/Closed
H-23-23	Vilonia SD	Met Compliance/Closed
H-23-30	Vilonia SD	Met Compliance/Closed
H-23-37	PCSSD	Met Compliance/Closed
<u>2024</u>		
H-24-05	Pine Bluff SD	Dismissed
H-24-13	Conway SD	Dismissed
H-24-44	Springdale SD	Dismissed
<u>2025</u>		
H-25-03	Conway SD	Dismissed
EH-25-06	Stuttgart SD	Dismissed
EH-25-07	Beebe SD	Dismissed
EH-25-08	Jacksonville North Pulaski SD	Dismissed
EH-25-10	Beebe SD	Dismissed
H-25-11	Pangburn SD	Dismissed
H-25-12	LRSD	Dismissed
H-25-13	LRSD	Dismissed
EH-25-16	Valley View SD	Dismissed
H-25-17	Valley View SD	Dismissed
EH-25-21	Lonoke SD	Dismissed

COMPLAINT INVESTIGATION ISSUES

C-25-05

1. that the District failed to develop and implement an Individualized Education Program (IEP) for the Student that is reasonable calculated to allow for meaningful progress 34 CFR 300.320(a) and [8.01.1], specifically, that the District failed to provide services listed on the IEP. (S)
2. that the District failed to ensure that the IEP was in effect at the start of school [8.03.1]. (S)
3. that the District failed to hold an IEP meeting, at least annually, to determine if the goals are being achieved [8.04.3.1]. (S)

C-25-08

1. that the District failed to provide transportation to allow the Student access to the special education program. Transportation was removed from the Student's IEP on August 26, 2024, according to multiple documents reviewed from that meeting, including the Notice of Action. (NS)
2. that the District modified the education program without meaningful Parent participation. Evidence reviewed showed that the District attempted to include the Parent in IEP team meetings. (NS)

C-25-10

1. that the District failed to develop and provide an Individual Education Program (IEP) that was calculated for reasonable educational benefit, specifically, that the District failed to develop an adequate IEP to address the needs of the Student [8.01.1], (NS)
2. that the District evaluation failed to use assessment tools and strategies that provide all relevant information that determine the educational needs of the Student. [6.04.2.10]. (NS)

C-25-11

1. that the District failed to develop and implement an Individualized Education Program (IEP) for the Student that is reasonably calculated to allow for meaningful educational benefit [8.01.1], specifically, by failing to provide a 1:1 aide as outlined in the IEP which resulted in the student being bullied. (NS)

C-25-12

1. that the District failed to develop and provide an Individual Education Program (IEP) that was calculated for reasonable educational benefit; specifically: that the District failed to implement the accommodations in the IEP [8.01.1]. (NS)

C-25-14

1. that the District failed to develop and implement an Individual Education Program (IEP) for the Student that is reasonably calculated to allow for meaningful educational benefit, specifically, by not providing specifically designed instruction to ensure access to the general curriculum, to allow the Student to meet the educational standards and address the unique needs of the child that result from the child's disability [2.72]. (S)
2. that the District impeded the Parent's opportunity to participate in the decision making process [20 U.S.C. § 1415 (f)(3)(E)(ii)], specifically by not communicating with the Parent to allow the Parent to be aware of Student progress. (NS)

C-25-19

1. that the District failed to develop and implement an Individual Education Program (IEP) for the Student that is reasonably calculated to allow for meaningful progress 34 CFR 300.320(a)(4) and [8.01.1], specifically, that the service of a paraprofessional was not provided. (S)

OPEN COMPLAINTS
(29)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2023</u>		
C-23-39	KIPP Delta SD	Pending Compliance
<u>2024</u>		
C-24-17	LISA Academy	Pending Compliance
C-24-25	Scholarmade Achievement Charter	Pending Compliance
C-24-29	Springdale SD	Pending Compliance
C-24-34	West Memphis SD	Pending Compliance
C-24-39	PCSSD	Pending Compliance
C-24-41	Searcy SD	Pending Compliance
C-24-45	Westwind School for Performing Arts	Pending Compliance
C-24-46	Strong-Huttig SD	Pending Compliance
C-24-48	Clarksville SD	Pending Compliance
C-24-49	Arkansas River Education Co-Op	Pending Compliance
C-24-50	Cossatot River SD	Pending Compliance
C-24-52	Berryville SD	Pending Compliance
C-24-56	LISA Academy	Pending Compliance
C-24-58	PCSSD	Pending Compliance
C-24-60	Bentonville SD	Pending Compliance
C-24-63	Academics Plus Charter School	Pending Compliance
C-24-64	Southwest AR Education Co-Op	Pending Compliance
C-24-65	Blytheville SD	Pending Compliance
C-24-66	LRSD	Pending Compliance
<u>2025</u>		
C-25-17	Lakeside SD	Pending Compliance
C-25-19	Pocahontas SD	Pending Compliance
C-25-20	Watson Chapel SD	Pending Investigation
C-25-21	KIPP Delta	Pending Investigation
C-25-22	KIPP Delta	Pending Investigation
C-25-23	Mountain View SD	Pending Investigation
C-25-25	Founders Classical Academy of AR	Pending Investigation
C-25-26	Clarksville	Pending Investigation

CLOSED COMPLAINTS
(10)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2024</u>		
C-24-61	Southwest AR Education Co-Op	Withdrawn/Closed
<u>2025</u>		
C-25-03	Mulberry SD	Met Compliance/Closed
C-25-06	Smackover SD	Denied
C-25-07	Ouachita River SD	Withdrawn/Closed
C-25-09	Baron-Lexa SD	Denied
C-25-11	NLRSD	No C/A, Closed
C-25-12	Fort Smith SD	No C/A, Closed
C-25-15	Huntsville SD	Denied
C-25-16	East End SD	Withdrawn
C-25-18	Star City SD	Withdrawn
C-25-24	Lonoke SD	Withdrawn