

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 26, 2016

The following allegations were addressed in complaint investigation reports and due process hearing decisions completed since the last Advisory Council Meeting on July 27, 2016. 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 that was not substantiated is followed by (NS).

Due Process Hearing Issues

H-16-04

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)

H-16-12

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)

H-16-14

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)

Complaint Investigation Issues

C-17-01

1. That the District failed to provide the Student with a free appropriate public education by not providing services to address all of the Student’s identified special education needs (S)
2. That the District failed to implement the Student’s IEP, specifically by not providing the modifications listed in the IEP (S)
3. That the District failed to revise the Student’s annual goals in the general education curriculum (S)

C-17-02

1. That the Educational Co-operative Service failed to adhere to transition guidelines established between the Early Childhood Educational Program and the LEA as set forth by the ADE in Section 21 (NS)
2. That the Educational Service Co-operative failed to obtain informed parental consent before conducting a re-evaluation of a child with a disability (NS)
3. That the Educational Service Co-operative Service failed to adhere to the ADE Special Education and Related Services Procedural requirements for re-evaluation by conducting more than one evaluation in a years time without parental agreement (NS)
4. That the Educational Co-operative Service failed to adhere to the ADE Special Education and Related Services procedurals requirements by not performing classroom observations before dismissing a student from speech therapy (NS)
5. That the Educational Service Co-operative failed to adhere to the ADE Special Education and Related Services Procedural requirements by not providing timely progress reports by related service providers (S)

OPEN HEARINGS

(19)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2015</u>		
H-15-10	Paris SD	Pending Compliance/Appeal

H-15-21	Texarkana SD	Pending Compliance
H-15-26	Sloan-Hendrix SD	Pending Compliance

2016

H-16-07	Pocahontas SD	Pending Compliance
H-16-08	Mountain Home SD	Pending Compliance
H-16-14	LRSD	Pending Compliance
H-16-27	Texarkana SD	Pending Compliance
EH-16-29	Texarkana SD	Pending Compliance
H-16-33	KIPP Delta SD	Pending Compliance
H-16-34	Earle SD	Pending Compliance
H-16-35	NLRSD	Pending Compliance
H-16-36	LRSD	Pending Hearing
H-16-40	Forrest City SD	Pending Hearing
H-16-44	Lawrence Co. SD	Pending Hearing
H-16-45	PCSSD	Pending compliance

2017

H-17-03	Fort Smith SD	Pending Hearing
H-17-07	East Poinsett Co. SD	Pending Hearing
H-17-08	Bryant SD	Pending Hearing
H-17-09	Benton SD	Pending Hearing

CLOSED HEARINGS

(10)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
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2016

H-16-04	Ozark Mountain SD	Closed
H-16-12	Forrest City	Closed
H-16-39	LRSD	Dismissed
H-16-42	Cedar Ridge SD	Closed
H-16-46	NLRSD	Dismissed

2017

H-17-01	Russellville SD	Dismissed
H-17-02	Cedar Ridge	Dismissed
H-17-04	LRSD	Dismissed
EH-17-05	Dumas	Dismissed
H-17-06	Mt. Home SD	Dismissed

OPEN COMPLAINTS

(6)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2015</u>		
C-15-11	Southside SD	Pending Compliance
C-15-15	Marion SD	Pending Compliance
<u>2016</u>		
C-16-10	Conway SD	Pending Compliance
C-16-13*	Fort Smith SD	Pending Compliance
<u>2017</u>		
C-17-01	LRSD	Pending compliance
C-17-02	NW Educational Co-op.	Pending Compliance
C-17-05	Greene Co. Tech	Pending report

CLOSED COMPLAINTS

(9)

<u>Case #</u>	<u>School District</u>	<u>Status</u>
<u>2016</u>		
C-6-02	LRSD	Closed
C-16-06	Fort Smith SD	Closed
C-16-07	Fort Smith SD	Closed
C-16-11	Midland SD	Closed
<u>2017</u>		
C-17-03	Texarkana SD	Denied
C-17-04	LRSD	Denied
C-17-06	KIPP Delta SD	Denied
C-17-07	Forrest City SD	Denied