Division of Elementary and Secondary Education - Office of Special Education
Advisory Council for the Education of Children with Disabilities
Dispute Resolution, October 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-25-24

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-26-01

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-26-04

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)

OPEN HEARINGS
(23)

Case#	School District	Status
2024		
H-24-04	LRSD	Pending Compliance
H-24-10	Magnet Cove SD	Pending Compliance
H-24-34	Scholarmade Achievement SD	Pending Compliance
H-24-40	Vilonia SD	Pending Compliance
H-24-42	Springdale SD	Pending Hearing
H-24-46	Benton SD	Pending Compliance

2025

H-25-01	Hope SD	Pending Hearing
H-25-14	Gravette SD	Pending Hearing
H-25-18	Gravette SD	Pending Hearing
H-25-22	Fountian Lake SD	Pending Hearing
H-25-26	Batesville SD	Pending Compliance
H-25-36	Gravette SD	Pending Hearing
H-25-39	Rogers SD	Pending Hearing
H-25-43	Mountain View SD	Pending Hearing
H-25-45	Fort Smith SD	Pending Hearing
H-25-48	Sheridan SD	Pending Hearing

2026

H-26-01	Lavaca SD	Pending Compliance
H-26-03	Fayetteville SD	Pending Hearing
H-26-06	Melbourne SD	Pending Hearing
H-26-08	Pangburn SD	Pending Hearing
H-26-10	Booneville SD	Pending Hearing
H-26-11	PCSSD	Pending Hearing
EH-26-12	Pangburn SD	Pending Hearing

CLOSED HEARINGS (19)

2025

Case#	School District	Status
H-25-09	PCCCD	Dismissed
H-25-20	PCSSD	Dismissed
H-25-24	LRSD	Closed/No CA
EH-25-29	Bentonville SD	Dismissed
H-25-32	Palestine-Wheatley SD	Dismissed
H-25-36	Gravette SD	Dismissed
H-25-38	Clarendon SD	Dismissed
H-25-40	Jacksonville Pulaski North SD	Dismissed
H-25-41	PCSSD	Dismissed
H-25-42	PCSSD	Dismissed
H-25-44	Lisa Academy	Dismissed
H-25-46	Hazen SD	Dismissed
H-25-47	Greenbrier SD	Dismissed
H-25-49	Conway SD	Dismissed

2026

H-26-02	PCSSD	Dismissed
H-26-04	Lavaca SD	Closed/No CA
EH-26-05	Clarksville SD	Dismissed
EH-26-07	Pangburn SD	Dismissed
EH-26-09	Clarksville SD	Dismissed

COMPLAINT INVESTIGATION ISSUES
(14)

C-25-64

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, specifically, the District failed to address the behavioral and emotional needs of the Student (NS)

2.that there is not sufficient evidence to substantiate the Complainant's allegation that the District failed to allow meaningful parent participation (NS)

3.that the District shared protected Personally Identifiable Information with individuals without Parent consent (NS)

C-25-65

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, specifically, the District failed to address the change of placement in the IEP (S)

2.that the District denied FAPE by refusing to allow the Student to participate in academic and non-academic activities (NS)

C-25-67

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, specifically, the District failed to implement the behavioral supports listed in the IEP (NS)

C-25-68

1.that the District failed to address the behavioral needs of the Student by adding a behavior contract instead of implementing the Behavior Intervention Plan (BIP). The DESE-OSE Investigative Team determined that two separate Behavior Contracts were developed; however, neither replaced the Student's current Behavior Intervention Plan (NS)

2.that the District failed to conduct a Functional Behavior Assessment (FBA), as required under Arkansas DESE Rule 8.07.1.2(A). Although the behavior of aggression had been addressed in the existing FBA, evidence indicated that the function of the behavior had changed over time. Despite this shift, the District did not initiate or conduct a new FBA to reassess the student's behavioral needs and inform appropriate interventions. Additionally, the FBA has not been updated to amend any new motivating reinforcers to include Facetiming with the Complainant (S)

3.that the District failed to utilize an appropriately trained staff to implement the Individualized Healthcare Plan (NS)

4.that the District failed to allow meaningful parent participation, by changing placement to virtual instruction outside of an IEP meeting. The evidence reflects that the Student was provided virtual instruction during a short-term out-of-school suspension (10 days or fewer), as an additional support offered by the District. This provision of services exceeded IDEA requirements and did not constitute a change of placement. Upon completion of the suspension, the Student returned to the placement and programming outlined in the IEP (NS)

5.that the District denied FAPE to the Student [5.01.1] by requiring the Parent to be the virtual facilitator (NS)

6.that the District denied FAPE to the Student through the implementation of a 30-day probationary period. However, the District's use of this probationary period, while not found to have interfered with the provision of FAPE, appears to lack clear definition and is not grounded in established District policy and if imposed, would deny FAPE because determinations on placement must be made through the IEP process (NS)

7.allegation that the District failed to conduct a Manifestation Determination Review (MDR) meeting in compliance with IDEA, specifically 34 C.F.R. § 300.530(e) and Arkansas DESE Rule 11.05. Specifically, the documentation of the child's disability characteristics was limited to the eligibility label "Deaf/Hard of Hearing (HI)" and failed to address all diagnoses and describe how the disability may manifest behaviorally or emotionally (S)

C-25-69

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, specifically that the District failed to provide the Speech Therapy services in the IEP (S)

2.that the District failed to educate the Student in the Least Restrictive Environment (LRE) by not allowing access to typically developing peers in nonacademic and academic activities (S)

3.that the District denied a FAPE by excluding the Student from field trips and school events (S)

C-25-70

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, specifically, that the District failed to provide the services in the IEP (S)

2.that the District failed to allow for meaningful parent participation, specifically by limiting the Parent's ability to inspect and review educational records (NS)

C-25-71

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, specifically, that the District failed to provide the services in the IEP (S)

2.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, specifically, that the IEP including goals were not developed to the specific needs of the Student (S)

3.that the District failed to provide an evaluation that is sufficiently comprehensive to identify all the Student's special education and related services needs (S)

C-25-73

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 (S)

2.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 (NS)

C-25-74

1.that the District failed to provide the services listed in the IEP (NS)

2.that the District failed to meet to address lack of expected progress toward goals. The DESE-OSE Investigative Team found that the District committed a procedural violation by waiting two months to hold an IEP conference to discuss the Student's failing grades. However, the Student's high absenteeism had a direct impact on the Student's lack of progress in the general education setting (S)

3.that the District failed to allow for meaningful parent participation, specifically, limiting the Parent's ability to receive information about the Student's educational program [34 CFR §300.613]. The DESE-OSE Investigative Team found that the District committed a procedural violation by failing to provide quarterly progress reports on the Student's IEP goals (S)

C-25-76

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,

the District failed to implement the behavioral supports in the IEP and Behavioral Intervention Plan (NS)

2.that the District failed to develop an evaluation that is sufficiently comprehensive to identify all of the Student's special education and related services needs (NS)

3.that the District failed to conduct a Manifestation Determination Review Conference (NS)

C-25-77

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 (NS)

2.that the District failed to educate the Student in the Least Restrictive Environment (LRE) by reducing access to the general education classroom (NS)

3.that the District failed to provide meaningful parental participation by failing to consider or include their input on the IEP (NS)

C-25-80

1.that the District failed to utilize an appropriately licensed teacher for general education classes (NS)

2.that the District failed to use assessment tools and strategies that provide relevant information that determine the educational needs of the Student (NS)

C-26-01

1.that the District failed to develop and implement an Individualized Education Program (IEP) for the Student that was reasonably calculated to enable meaningful progress (S)

2.that the District failed to provide a free appropriate public education (FAPE) for the Student (S)

3.that the District failed to conduct a Manifestation Determination Review Conference (NS)

C-26-02

1.that the District denied the Student FAPE by denying admission to the District (NS)

OPEN COMPLAINTS
(28)

Case#	School District	Status
2023		
C-23-39	KIPP Delta SD	Pending Compliance
2024		
C-24-17	LISA Academy	Pending Compliance
C-24-39	PCSSD	Pending Compliance
2025		
C-25-10	Little Rock SD	Pending Compliance
C-25-22	KIPP Delta SD	Pending Compliance
C-25-23	Mountain View SD	Pending Compliance
C-25-30	Fort Smith SD	Pending Compliance
C-25-31	Fort Smith SD	Pending Compliance
C-25-34	Academy of Math and Science	Pending Compliance
C-25-36	Booneville SD	Pending Compliance
C-25-42	Academy of Math and Science	Pending Compliance
C-25-52	North Little Rock SD	Pending Compliance
C-25-56	Lavaca SD	Pending Compliance
C-25-59	PCSSD	Pending Compliance
C-25-68	Arkansas School for the Deaf	Pending Compliance
C-25-69	PCSSD	Pending Compliance
C-25-70	Hot Springs SD	Pending Compliance
C-25-71	Arkansas School for the Blind	Pending Compliance
C-25-73	Guy Perkins SD	Pending Compliance
C-25-74	Little Rock SD	Pending Compliance
2026		
C-26-01	Pocahontas SD	Pending Compliance
C-26-05	East End SD	Pending Investigation
C-26-06	Mansfield SD	Pending Investigation
C-26-07	Fayetteville SD	Pending Investigation
C-26-08	PCSSD	Pending Investigation
C-26-09	Friendship Aspire Academy	Pending Investigation
C-26-12	KIPP Delta	Pending Investigation
C-26-15	Mountain Home SD	Pending Investigation

CLOSED COMPLAINTS
(25)

Case#	School District	Status
2024		
C-24-65	Blytheville SD	Met Compliance/Closed
2025		
C-25-05	KIPP Delta	Met Compliance/Closed
C-25-26	Clarksville	Met Compliance/Closed
C-25-28	Magnet Cove SD	Met Compliance/Closed
C-25-33	Jonesboro SD	Met Compliance/Closed
C-25-38	Bentonville SD	Closed/No CA
C-25-43	West Memphis SD	Met Compliance/Closed
C-25-49	PCSSD	Met Compliance/Closed
C-25-50	Mountainburg SD	Met Compliance/Closed
C-25-53	Yellville-Summit SD	Met Compliance/Closed
C-26-62	Bentonville	Closed/No CA
C-25-63	Yellville-Summit	Closed/No CA
C-25-64	Pangburn SD	Closed/No CA
C-25-65	Burgman SD	Met Compliance/Closed
C-25-67	Cabot	Closed/No CA
C-25-76	Texarkana SD	Closed/No CA
C-25-77	Rogers SD	Closed/No CA
C-25-80	LRSD	Closed/No CA
2026		
C-26-02	Arkansas School for the Deaf	Closed/No CA
C-26-03	Pocahontas SD	Withdrawn
C-26-04	KIPP Delta	Denied
C-26-10	PCSSD	Denied
C-26-11	Jessieville SD	Denied
C-26-13	ESTEM Charter School	Denied
C-26-14	Highland SD	Denied