

ARKANSAS DEPARTMENT OF EDUCATION
SPECIAL EDUCATION UNIT

DISPUTE RESOLUTION REPORT FOR THE ADVISORY COUNCIL
FOR THE EDUCATION OF INDIVIDUALS WITH DISABILITIES

COURTNEY SALAS-FORD, PROGRAM ADMINISTRATOR,
DISPUTE RESOLUTION

APRIL 21, 2016

The following allegations were addressed in complaint investigation reports and due process hearing decisions completed since the last Advisory Council Meeting on January 21, 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-16-27

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-16-28

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-16-29

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-16-06

1. that the District failed to provide FAPE (S)
2. that the District failed to develop an appropriate IEP (NS)

3. that the District failed to develop and appropriate BIP (S)
4. that the District failed to implement the IEP and BIP as written (S)

C-16-07

1. that the District failed to consider whether the Student needs specialized transportation, specific to time and duration, in order to receive a free appropriate public education (S)

C-16-10

1. that the District failed to meet its child find obligation by failing to refer the Student for special education and related services (S)

OPEN HEARINGS

(20)

2 New hearing requests have been submitted since the last meeting*

<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
<u>2016</u>		
H-16-02	Cabot SD	Pending Hearing
H-16-04	Ozark Mountain SD	Pending Compliance
H-16-07	Pocahontas SD	Pending Hearing
H-16-08	Mountain Home SD	Pending Hearing
H-16-12	Forrest City SD	Pending Hearing
H-16-14	Little Rock SD	Pending Compliance
H-16-20	PCSSD	Pending Hearing
H-16-26	Earle SD	Pending Hearing
H-16-27	Texarkana SD	Pending Compliance
EH-16-29	Texarkana SD	Consolidated with H-16-27
H-16-30	Booneville SD	Pending Hearing
H-16-33	KIPP Delta SD	Pending Hearing
H-16-34	Earle SD	Pending Hearing
H-16-35	NLRSD	Pending Hearing
H-16-36	LRSD	Pending Hearing
H-16-37	East Poinsett Co. SD	Pending Hearing

H-16-38	Vilonia SD	Pending Hearing
H-16-39	LRSD	Pending Hearing

CLOSED HEARINGS

(7)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2016</u>		
H-16-06	Pine Bluff SD	Dismissed
H-16-23	LRSD	Dismissed
H-16-24	Fayetteville SD	Dismissed
H-16-25	KIPP Delta	Dismissed
H-16-28	PCSSD	Closed/ No C/A
H-16-31*	NLRSD	Dismissed
H-16-32*	LRSD	Dismissed

OPEN COMPLAINTS

(9)

<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-16-02	Little Rock SD	Pending Compliance
C-16-06	Fort Smith SD	Pending Compliance
C-16-07*	Fort Smith SD	Pending Compliance
C-16-09*	Texarkana SD	Pending Investigation
C-16-10*	Conway SD	Pending Compliance
C-16-11*	Midland SD	Pending Investigation
C-16-12*	Mountain Home SD	Pending Investigation

CLOSED COMPLAINTS

(2)

<u>Case #</u>	<u>School District</u>	<u>Status</u>
<u>2016</u>		
C-16-08*		Closed No C/A

MEDIATIONS AND FACILITATED IEP MEETINGS

From December 1, 2015 through February 28, 2016

Initiator	Request Date	Mediation Date	School District	Agreement
Parent	8/6/15	n/a	Lakeside	
Parent	8/18/15	8/20/15	Little Rock	1
	8/25/15	n/a	Marshall	
SD	8/28/15	9/10/15	Lakeside	1
Parent	9/18/15	n/a	Beebe	
SD	9/18/15	9/30/15	Drew Central	1
SD	9/23/15	10/9/15	East Poinsett	1
	10/9/15	10/20/15	East Poinsett	
	10/19/15	10/27/15	East Poinsett	1
SD	9/25/15	10/14/15	Glen Rose	1
Parent	9/28/15	10/15/15	North Little Rock	1
	12/3/15	n/a	North Little Rock	
SD	9/30/15	10/14/15	Glen Rose	1
Parent	10/5/15	n/a	PCSSD	
Parent	10/6/15	10/28/15	Lisa Academy	1
Parent	10/22/15	n/a	Pocahontas	
Parent	10/14/15	19/23/15	Lawrence County	1
Parent	10/26/15	n/a	Heber Springs	
Parent	10/28/15	11/4/15	Paris	
Parent	11/3/15	11/13/15	Glen Rose	1
Parent	10/29/15	11/9/15	Blevins	1
Parent	11/30/15	1/13/16	Jonesboro	1
Parent	12/10/15	12/16/15	Crossett	1
School	12/18/15	1/20/16	Russellville	1
Parent	1/12/16	1/19/16	Dawson Co-op	1
Parent	1/15/16	n/a	Magazine	
Parent	1/20/16	n/a	Little Rock	
Parent	1/20/16	n/a	Van Buren	
Parent	1/20/16		Fort Smith	
Parent	1/28/16	2/11/16	Texarkana	1
Parent	2/1/16	n/a	Camden	
Therapist	2/10/16	2/19/16	Little Rock	1
Parent	2/13/16	2/26/16	Cabot	1
Parent	2/22/16	n/a	Dewitt	

Initiator	Request Date	FIEP Meeting Date	School District	Agreement
Parent	7/20/15	8/14/15	North Little Rock	
	8/14/15	8/27/15	North Little Rock	1
Parent	7/20/15	8/14/15	North Little Rock	1
Parent	8/14/15	n/a	Paris	
SD	8/21/15	8/31/15	Benton	
Parent	8/14/15	9/8/15	Bryant	1
	12/15/15	1/20/16	Bryant	1
Parent	9/1/15	9/2/15	PCSSD	
Parent	9/14/15	9/28/15	Heber Springs	
	9/28/15	1/11/16	Heber Springs	1
SD	9/23/15	10/9/15	North Little Rock	
	10/9/15	11/11/15	North Little Rock	
Parent	9/30/15	10/12/15	Norfolk	1
SD	10/2/15	10/18/15	Palestine/Wheatley	
	10/18/15	11/6/15	Palestine/Wheatley	
SD	10/15/15	11/19/15	Bentonville	1
Parent	10/9/15	11/5/15	Kirby	1
	1/7/16	2/16/16	Kirby	1
DHS	10/29/15	10/30/15	Earle	
	11/9/15	11/12/15	Earle	1
Parent	11/19/15	n/a	Russellville	
Parent	12/1/15	12/7/15	Little Rock	
Parent	1/7/16	n/a	Pulaski CSSD	
Parent	1/26/16	2/2/16	Harmony Grove	1
Parent	2/9/16	2/19/16	Ft Smith	1
Atty	2/15/16	3/9/16	Malvern	
Parent	2/16/16	2/29/16	East Poinsett	1
Parent	2/12/16	2/24/16	PCSSD	