
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

August 7, 2018

The following allegations were addressed in complaint investigation reports and due process hearing decisions completed in the second quarter of the calendar year. 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). A rendered decision found to have no corrective action is followed by (No C/A).

DUE PROCESS HEARING ISSUES

H-18-08

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. (S)

H-18-13

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. (NS)

H-18-21

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. (PS)

H-18-22

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. (S)

EH-18-23

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. (S)

COMPLAINT INVESTIGATION ISSUES

C-18-09

1. That the District failed to provide FAPE by not implementing the Student's IEP (NS)
2. That the District failed to consider the Student's disability when conducting the Manifestation Determination conference (NS)

C-18-12

1. That the District failed to provide the Student with FAPE by not implementing the IEP as written (S)

C-18-13

1. That the District failed to provide FAPE by not implementing the Student's IEP (S)
2. That the District failed to provide FAPE by not holding an Evaluation/Programming Conference within the required timeline (NS)

C-18-14

1. That the District failed to provide FAPE by not implementing the Student's IEP (NS)

C-18-18

1. That the District failed to provide FAPE by not evaluating the Student (NS)
2. That the District failed to provide FAPE by not ensuring parent participation in conferences (NS)

C-18-19

1. That the District failed to provide FAPE by failing to develop a BIP (S)
2. That the District failed to provide FAPE by failing to consider a lesser restrictive environment (NS)
3. That the District failed to provide FAPE by not implementing the Student's IEP (S)
4. That the District failed to provide FAPE by failing to inform the Student of her rights under IDEA (NS)

C-18-23

1. That the District failed to meet its child find obligations by failing to refer the Student for special education and related services (NS)

OPEN HEARINGS

(11)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2016</u>		
H-16-14	LRSD	(S) Pending Appeal
<u>2017</u>		
H-17-13	Bentonville SD	(S) Pending Appeal
<u>2018</u>		
H-18-04	Searcy Co. SD	Pending Compliance
H-18-08	LRSD	Pending Compliance
H-18-21	Vilonia SD	Pending Compliance
H-18-22	Vilonia SD	Pending Compliance
EH-18-23	Vilonia SD	Pending Compliance
H-18-29	Lawrence Co. SD	Pending Hearing
H-18-30	Vilonia SD	Pending Hearing
H-18-31	Sheridan SD	Pending Hearing

CLOSED HEARINGS

(7)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2018</u>		
H-18-19	McCrary SD	Dismissed
H-18-20	Bryant SD	Dismissed
H-18-24	Benton SD	Dismissed
H-18-25	Magnet Cove SD	Dismissed
EH-18-26	Magnet Cove SD	Dismissed
H-18-27	Paragould SD	Dismissed
H-18-28	Green Forrest SD	Dismissed
H-18-32	PCSSD	Dismissed

OPEN COMPLAINTS

(8)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2018</u>		
C-18-12	Hope SD	Pending Compliance
C-18-13	Jacksonville Pulaski North SD	Pending Compliance
C-18-19	NLRSD	Pending Compliance
C-18-24	Van Buren SD	Pending Investigation
C-18-25	Clarendon SD	Pending Investigation
C-18-26	Fordyce SD	Pending Investigation
C-18-27	Jacksonville Pulaski North SD	Pending Investigation
C-18-28	NLRSD	Pending Investigation

CLOSED COMPLAINTS

(12)

<u>2018</u>		
C-18-09	PCSSD	Report Issued, No CA
C-18-14	Texarkana SD	Report Issued, No CA
C-18-15	Texarkana SD	Denied
C-18-16	Lonoke SD	Denied
C-18-17	Lakeside SD	Denied
C-18-18	LRSD	Report Issued, No CA
C-18-20	Bentonville SD	Denied
C-18-21	Paragould SD	Withdrawn
C-18-22	Hampton SD	Withdrawn
C-18-23	Pine Bluff SD	Report Issued, No CA