

**Division of Elementary and Secondary Education - Special Education Unit
Advisory Council for the Education of Children with Disabilities
Dispute Resolution, October 2020**

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

DUE PROCESS HEARING ISSUES

H-20-22

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-20-28

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)

COMPLAINT INVESTIGATION ISSUES

C-20-01

1. that the District failed to develop and implement an appropriate IEP for the Student that is reasonably calculated to allow for meaningful progress (S)
2. that the District failed to conduct a Functional Behavior Assessment and develop and implement a Behavior Intervention Plan (S)
3. that the District held the Manifestation Determination Review (MDR) DR meeting outside the required timeline (N) and that the District failed to consider all the Student's disabilities when conducting the MDR(S)
4. that the District failed to allow for Parent participation (NS)
5. that the District failed to continue services during change of placement, including the Student's mental health needs (S)

OPEN HEARINGS

(20)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2016</u>		
H-16-14	LRSD	Pending Compliance
<u>2020</u>		
H-20-02	Monticello SD	Pending Compliance
H-20-09	Russellville SD	Pending Compliance
H-20-15	Atkins SD	Pending Compliance
H-20-19	E-STEM	Pending Hearing
H-20-22	Lakeside SD (Chicot)	Pending Compliance
H-20-28	Heber Springs SD	Pending Compliance
H-20-29	El Dorado SD	Pending Hearing
H-20-34	Russellville SD	Pending Hearing
H-20-35	Monticello SD	Pending Hearing
<u>2021</u>		
H-21-01	Beebe SD	Pending Hearing
H-21-02	Mayflower SD	Pending Hearing
H-21-03	White Hall	Pending Hearing
H-21-04	Cabot SD	Pending Hearing
H-21-05	Riverview SD	Pending Hearing
H-21-06	Atkins SD	Pending Hearing
H-21-07	Mayflower/Arch Ford	Pending/Dismissed
H-21-08	El Dorado SD	Pending Hearing
H-21-09	Atkins SD	Pending Hearing
H-21-10	LISA Academy	Pending Hearing

CLOSED HEARINGS

(9)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2020</u>		
H-20-10	Jacksonville North Pulaski	Met Compliance
H-20-16	Lonoke SD	Dismissed
H-20-25	Atkins SD	Dismissed
H-20-30	White Hall SD	Dismissed
H-20-31	Hazen SD	Dismissed
H-20-32	PCSSD	Dismissed
H-20-33	Harrison SD	Dismissed
H-20-36	Pine Bluff SD	Dismissed
H-20-37	Greene County Tech SD	Dismissed

OPEN COMPLAINTS

(3)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2020</u>		
C-20-15	Little Rock Preparatory	Pending Compliance
<u>2021</u>		
C-21-01	LISA Academy	Pending Compliance
C-21-04	Heber Springs SD	Pending Investigation

CLOSED COMPLAINTS

(4)

<u>Case#</u>	<u>School District</u>	<u>Status</u>
<u>2020</u>		
C-20-14	Springdale SD	Met Compliance
C-20-17	Benton SD	Closed/No CA
<u>2021</u>		
C-21-02	LRSD	Denied
C-21-03	Heber Springs SD	Denied