**Part B Dispute Resolution Data Notes**

**2019-2020 Reporting Year**

This document provides information or data notes on the ways in which states collected and reported data differently from the Office of Special Education Programs (OSEP) data formats and instructions. In addition, the data notes provide explanations of substantial changes or other changes that data users may find notable or of interest in the data from the previous year.

# Arizona

- The State provided the following response(s) to large Year to Year change(s):

* There are two primary reasons for an increase of due process complaints upon review of the information. First, the system Arizona used to collect this information has moved from pen & paper with mailing or fax to a secure online platform. This has made it more accessible and streamlined for the public to submit a complaint and help meet the basic requirements to file one successfully. Second, there was an increase of complaints filed by families that had multiple children which would cause multiple complaints to be issued through one family member for each child
* 4.4 represents expedited due process complaints withdrawn, dismissed, including resolved with settlement agreement.

# Colorado

- The State provided the following response(s) to large Year to Year change(s):

* The number of complaints reported for this SY 2019-20 is on par with the complaint numbers reported prior to SY 2018-19. The dramatic increase the State experienced in SY 2018-19 was an anomaly for Colorado.
* The State attributed the decline in complaints filed to the drastic change from in-person learning to on-line learning due to the COVID-19 pandemic. In comparison, the State experienced a reduction in complaints filed for the first few months of the pandemic, March through June 2020, and complaints filed during the same time span in several prior years.

# Connecticut

- The State provided the following response(s) to large Year to Year change(s):

* The decrease in the number of signed written complaints are due to the COVID-19 closures of all schools in CT from March 13, 2020 through the end of the school year. Complaints filed by parents were significantly reduced while students received continued educational opportunities via remote instruction/distance learning from March through June.

# District of Columbia

- The State provided the following response(s) to large Year to Year change(s):

* Reductions in complaints may be due to covid-related school closures.

# Florida

- The State provided the following response(s) to large Year to Year change(s):

* Florida's student population including students with disabilities has increased, it is to be expected that dispute resolution actions would also increase.
* During the fourth quarter of SY 2019-20, the State saw a sharp decrease in due process complaints filed and resolution meetings held and resolved successfully compared to the previous two quarters due to the COVID-19 pandemic.

# Georgia

- The State provided the following response(s) to large Year to Year change(s):

* The decrease in written signed complaints and mediation requests was due to the COVID-19 pandemic. Georgia had virtual instruction from March 16, 2020 through the end of the school year. As a result, the number of requests dramatically decreased. In addition, Georgia is using a Help Desk to enable parents to seek information and resolve concerns more rapidly.

# Illinois

- The State provided the following response(s) to large Year to Year change(s):

* There were 3 Executive Orders from the Governor that most likely impacted the State’s data
* Executive Order 2020-05 required all public and non-public schools to close beginning on Tuesday, March 17 through Monday, March 30.
* Executive Order 2020-10 extended the mandated statewide school closure through April 7, 2020.
* Executive Order 2020-33 extended suspension of in-person instruction through end of 2019-20 academic year.
* Consequently, the number of complaints in Illinois received in SY 2019-20 were most certainly affected by COVID 19. The number of complaints Illinois received between March 16 and June 30 dropped during the same period in SY 2018-19 in SY 2019-20. A decrease was also observed for Due Process Complaints and Mediation Requests.

# Massachusetts

- The State provided the following response(s) to large Year to Year change(s):

* Differences may be attributed to circumstances caused by the COVID 19 Pandemic.

# Michigan

- The State provided the following response(s) to large Year to Year change(s):

* There was a decrease in special education due process complaints filed between SY 2018-19 and SY 2019-20. The COVID-19 pandemic coupled with stronger communication and technical assistance to districts, ISDs, and parents.

# Minnesota

- The State provided the following response(s) to large Year to Year change(s):

While MDE offered mediation services continuously throughout SY 2019-20, requests for mediation services declined during the COVID-19 pandemic, presumably due to the closure of Minnesota public school buildings in Spring 2020 and other exceptional circumstances related to the COVID-19 pandemic. MDE continued to provide mediation sessions through virtual means during Spring 2020.

# Mississippi

- The State provided the following response(s) to large Year to Year change(s):

* A year-to-year change is present due to school closures and an increase in virtual or hybrid instruction caused by COVID-19 during SY 2019-20**.**

# Nevada

- The State provided the following response(s) to large Year to Year change(s):

* Part B Dispute Resolution: The year-to-year decrease in the total number of due process complaints filed between SY 2018-19 and SY 2019-20 is the result of COVID mitigation strategies that closed all K-12 grade schools as of March 15, 2020, which at least temporarily slowed the pace of due process complaints.

# New Jersey

- The State provided the following response(s) to large Year to Year change(s):

* Given the unprecedented circumstances families faced during the initial phases of the COVID-19 public health emergency, the number of special education dispute resolution filings during SY 2019-20 reporting period is significantly lower than the prior year.

# New York

- The State provided the following response(s) to large Year to Year change(s):

* The increase in the total number of written signed complaints filed from SY 2018-19 is accurate and is largely reflective of an increase seen in written signed complaints filed in one large city school district. The number of written signed complaints filed in SY 2019-20 is larger than the average of the three years (SY 2017-18, SY 2018-19 and SY 2019-20) and also larger than the average of the prior two years (SY 2017-18 and SY 2018-19).

# Ohio

- The State provided the following response(s) to large Year to Year change(s):

* For SY 2019-20, Ohio saw a reduction across all dispute resolution processes due to the COVID-19 pandemic and school building closure.

# Oklahoma

- The State provided the following response(s) to large Year to Year change(s):

* There were fewer written complaints filed in SY 2019-20 than in SY 2018-19.

# Oregon

- The State provided the following response(s) to large Year to Year change(s):

* School closures starting in March due to COVID-19 effected SY 2019-20 data.

# Republic of Palau

- Palau did not have any written signed complaints, mediation requests or due process complaints in SY 2019-20**.**

# Pennsylvania

- The State provided the following response(s) to large Year to Year change(s):

* Due to the Health and Safety requirements of the Governor’s Emergency Orders in response to the COVID-19 Pandemic, the number of complaints decreased.

# Rhode Island

- Resolution sessions entered include resolution session agreements before and after Hearing Officer is assigned.

- The Rhode Island Dept of Education (RIDE) has an internal Special Education Call Center that works closely with local educational agencies (LEAs) and parents when either party is considering the filing of a formal complaint. The ability for parties to work together at the local level with RIDE’s technical assistance has resulted in a decrease in the overall number of formal complaints.

- The State provided the following response(s) to large Year to Year change(s):

* The impact of the COVID-19 pandemic has resulted in a decrease in filed complaints after March 13, 2020 to numbers during the same period in FFY2018.

# Vermont

- The State provided the following response(s) to large Year to Year change(s):

* Several delays in late Winter and Spring of 2020 were parentally requested due to the COVID-19 pandemic. VT had no expedited DP complaints.

# Virginia

- The State provided the following response(s) to large Year to Year change(s):

* The mediation requests are down from the previous reported year due to the changed instructional patterns due to COVD-19 and the resultant change in expectations.

# Washington

- The State provided the following response(s) to large Year to Year change(s):

* While there was a decrease in mediations during this reporting cycle there was also an increase in both citizen complaints and due process hearings. Many of the citizen complaints and due process hearings filed were much more complex than in prior years and both parties determined mediation could not resolve all the issues.