

Part B Dispute Resolution Data Notes

2013-14 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

Alabama

The decrease in the total number of written signed complaints corresponds to the increase in due process complaints filed.

The increase in the total number of due process complaints filed can be attributed to the expansion of the client base of several legal firms that file over 95% of the due process complaints in Alabama.

The one expedited due process complaint filed in School Year 2013-2014 represents a small number yielding a 100% increase and a statistical anomaly.

Bureau of Indian Affairs

One Due Process complaint from SY 2013-14 was resolved through mediation agreement on 10/10/2014.

Florida

The decrease in the number of mediation requests is likely related to the bureau's relatively new practice of offering state sponsored IEP facilitation as an alternative dispute resolution method when formal state complaints are received.

Marshall Islands

There were no written, signed complaints, mediation requests, due process complaints, and expedited due process complaints in the Republic of the Marshall Islands in the SY 2013-14.

Massachusetts

In July of 2013 Massachusetts introduced a new online intake form to facilitate the filing of complaints. We believe the introduction of that form made our complaint management system more easily accessible to the public, and resulted in the increase in complaint volume.

Michigan

The majority of disputes are settled through the complaints system instead of mediation or due process. The state complaint system has been clarified to the public and more individuals are using the process.

The number of written signed complaints filed in 2013-2014 was due partly to the increase of parental involvement in the educational process. MDE has been very proactive with providing training to parents on their right's to file a formal state complaint as a part of dispute resolution.

The number of due process complaints filed was due to the combination of successful mediation, IEP facilitation, and the district's willingness to provide appropriate services.

Missouri

This data note references a decrease in the number of mediation requests received during the 2013-14 school year. The reasons for the decrease are unknown, but are the result of small decreases in a number of school districts.

North Carolina

Due Process Petitions and Expedited Due Process Petitions decreased as a result of the combination of the Facilitated IEP Team Program and technical assistance provided to parents regarding the options for dispute resolution. Concurrently, ongoing partnerships with parent attorneys have led to dispute resolution through facilitation, mediation and/or state complaints rather than due process petitions.

In North Carolina, each charter school is considered as an LEA. This past year the number of charter schools surpassed the number of traditional LEAs. Therefore, the number of state complaints increased concurrently with the increase in charter schools. The most common issue raised in charter school state complaints involves the implementation of the individualized education program.

Palau

Palau did not receive any written signed complaint or request for mediation or due process for school year 2013-2014.

Wisconsin

Mediation Requests - 2.3 - of the 25 requests for mediation that were not held: 16 were withdrawn by the district, parent, or both and between the time of the request and the time of withdrawal (8 were resolved due to Wisconsin's effective mediation system). 6 were declined by a parent or district. 3 were moved from the mediation process to the IEP facilitation process.