

PART B DISPUTE RESOLUTION DATA NOTES

2016–17 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

- Year to Year note: The decrease in mediation requests received through all dispute resolution processes from 2015-2016 to 2016-2017 is due to the ALSDE providing the opportunity and option for LEAs and parents to request and utilize Facilitated IEP Team meetings as an approach to reduce disputes before culminating into due process complaints.

California

- Year to Year note, increase in the total number of mediation requests and decrease in the total number of due process complaints: The CDE supports and has implemented local mediation through a grant. The CDE encourages LEAs to implement alternate dispute resolution practices which has resulted in fewer complaints and more mediation.

Georgia

- Year to Year note: Georgia received more requests for mediation through all dispute resolution processes as compared to the previous year. The State Department of Education is not privy to information regarding why families request mediation. The mediation process allows for both parties to come to the table to hear each other and work to come to an agreement in the best interest of the child. This is far more desirable than a hearing. Also, Georgia's total enrollment of SWD (ages 3-21) increased. Georgia is committed to positive engagement of families and schools and families working together to provide appropriate services to children.

Maryland

- Year to Year note, increase in total number of due process complaints: This increase is due to the effectiveness of MSDE's continuing efforts to inform parents of their right to utilize the filing of due process complaints as a means through which to resolve their disputes with school systems when informal dispute resolution has been unsuccessful. MSDE further believes that more parents understand that they must file a due process complaint if they seek a resolution meeting with the school system, which has become a viable alternative to mediation in the dispute resolution process.

Michigan

- Year to Year note, Total number of written signed complaints filed -21.53% change: The MDE/OSE has changed the process for investigating state complaints that has put more investigatory and decision-making responsibility on the SEA and less on the ISD. There has also been an increase in consideration of substantive issues. With more time available for the ISD, we believe this has increased their focus on supporting the LEAs in resolving issues prior to the need for a state complaint as well as providing more technical assistance when needed.

- Year to Year note, Total number of mediation requests received through all dispute resolution processes +39.22% change: Again, through this change in process, the ISDs are spending less time in the investigation process and no longer have any writing responsibilities. This gives them more time to work on less adversarial means for resolution, including encouraging the mediation process.

- Year to Year note: Although numbers of suspensions went down overall the number of suspensions for more than 10 days increased 62.8% which could have led to more expedited hearings.

Virginia

- Year to Year note: The decrease in mediation and subsequent increase in due process complaints filed for 2016-2017 are a direct result of one active and vocal parent advocate whose actions led to a significant increase in the number of due process complaints filed with Virginia Department of Education. The increase in due process counts can be directly tied to this advocate's efforts.