

PART C 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.

Arizona

Although the number of complaints increased from 7 in FFY 2015 to 14 in FFY 2016, the majority of the complaints were from two different Early Intervention Programs (EIPs). One EIP received 43 percent, or 6 out of the 14 complaints, with findings of noncompliance for 5 of the 6 complaints. This was primarily due to families not receiving services timely, not receiving services in conformity with the IFSP, and not receiving prior written notice. There have been no further complaints in that region since the AzEIP office took contract action and the EIP ensured initial correction of the noncompliance.

The second EIP converted several direct employee positions to subcontractor positions, which resulted in a high percentage of those employees declining contracts. This ultimately led to a lack of capacity for that EIP to serve families in the affected region. Twenty-one percent, or 3 out of 14 of the complaints, were from families served by that EIP. AzEIP worked with the DES Office of Procurement and took contract action, which included withholding referrals, until the EIP demonstrated they had the capacity to serve families again. There have been no further complaints in that region since the EIP ensured initial correction of the noncompliance. Both of these EIPs are demonstrating sustainment of programmatic improvement, while being closely monitored by the LA office through their corrective action plans. In spite of some barriers throughout FFY 2016, The LA has improved training and process to address complaints in a timely manner and effectively address the noncompliance with EIPs. The LA has also sustained the improvement to date into FFY 2017.

Mississippi

Over the past two years the program has been providing training to Service Coordinators on how to inform parents/guardians of their rights and what actions can be taken. These trainings have led to more parents/guardians exercising their rights under dispute resolutions.