

## Special Education Formal Complaints July 1, 2006 – June 30, 2007

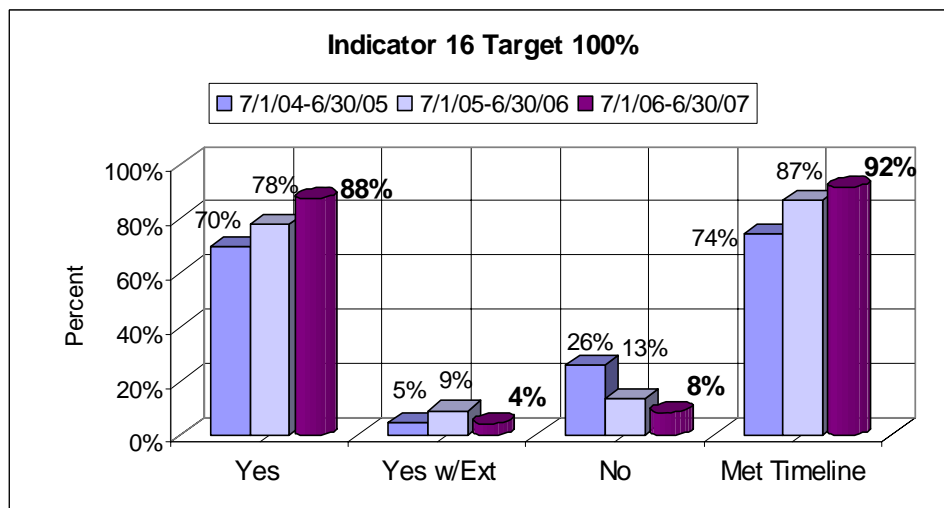
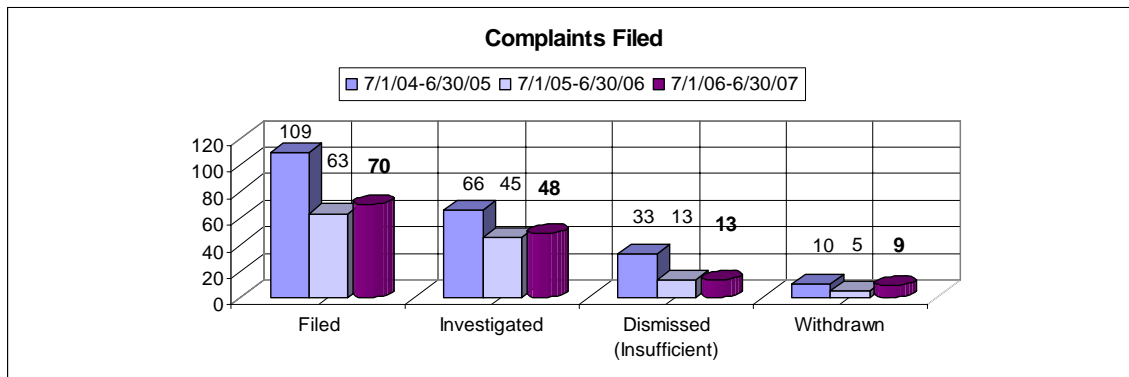
Department of Public Instruction  
Exceptional Children Division

The Department of Public Instruction manages the state complaint procedures in accordance with the *Individuals with Disabilities Education Improvement Act* and accompanying federal regulations, 34 CFR §300.151 *et. seq.* and North Carolina *Procedures Governing Programs and Services for Children with Disabilities*.

Special Education Formal Complaints	Number	Percentage
Signed written complaints received	70	
Complaints with reports issued	48	
-Reports with findings of noncompliance	33	69%
-Reports completed within timeline	42	88%
-Reports completed within extended timeline	2	4%
Complaints withdrawn or dismissed	22	
Complaints pending	0	
-Complaints pending a due process hearing	0	

**Ninety-two percent (92%) of the reports were completed within the timeline.**

Note: The division added a third Consultant for Dispute Resolution to staff 2006/2007.



## Issues in Dispute Resolution 7/1/2006 - 6/30/2007

Mediation		Due Process	
Issues - Top 5	Number	Issues	Number
Eligibility	13	Evaluation	15
FAPE	16	Eligibility	10
IEP Services	39	FAPE	16
LRE - Placement	27	LRE - Placement	26
Manifestation Determination	8	Manifestation Determination	4
<b>Total</b>	<b>103</b>	<b>Total</b>	<b>71</b>

Formal Written Complaints		
Issues	Number Investigated	Non - compliant
Child Count	1	1
Confidentiality	1	
Discipline	8	5
Enforcement of Agreements	5	1
Initial - Evaluation	11	10
FAPE	6	3
HQT	4	3
IEP Content	13	12
IEP in Effect	5	5
IEP Implementation	44	22
IEP Review/Revise	8	6
IEP Team	9	8
Length of School Day	1	1
LRE - Placement	6	3
Parent Participation & Procedural Safeguards	27	15
Reevaluation	9	5
<b>Total</b>	<b>158</b>	<b>100</b>

IEP issues comprised **50%** of the complaint issues investigated.