

Part B State Annual Performance Report (APR) for 2005

Overview of the Annual Performance Report Development:

See Overview, Page i

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 17:** Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

(20 U.S.C. 1416(a)(3)(B))

**Measurement:** Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.

FFY	Measurable and Rigorous Target
2005	100%

**Actual Target Data for 2005:**

Of due process hearing requests that were fully adjudicated, 95 percent were rendered within the required timelines in the 2005-06 school year.

$$((3 + 15 (18)) / 19 \times 100 = 95\%)$$

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005:**

Explanation of Progress or Slippage

The Department has made progress toward the 100 percent target. The Department’s efforts with hearing officers resulted in a 50 percent decrease in the number of decisions that were late. Of the total number of hearing requests (206), 19 resulted in fully adjudicated hearing decisions. Eighteen of these were rendered within the required timeline. One was issued three calendar days/one business day after such timeline. The Department continues to work diligently with the involved persons regarding adherence to timelines. Data are valid and reliable.

The due process hearing system is overseen by the Department, which appoints contracted hearing officers. All 10 hearing officers are attorneys in good standing with their respective state bar associations and have experience in education.

Within 45 calendar days of commencement of the hearing timeline a final decision and order is rendered. Hearing officers may grant a specific extension of time beyond the 45-day calendar timeline for certain reasons at the request of either party.

As alternate dispute resolution options, the Department has available complaint resolution, mediation and advisory opinion processes. At the local level resolution meetings are made available to the parties.

The Department provided training and technical assistance to mediators, LEAs and families on alternatives to dispute resolution including IEP facilitation. A statewide conference on Alternatives to Dispute Resolution was held in collaboration with the Quinnipiac School of Law, SERC and the Consortium for Appropriate Dispute Resolution in Special Education (CADRE). The Department developed and disseminated a brochure on the use of LEA and state alternatives to dispute resolution. The title of the brochure is “Opportunities for Solutions: Improving Results for Students with Disabilities”. Hearing officer training and professional development opportunities continue to be offered as described in the 2005 SPP.

The Department has designed the new database system that integrates management of mediations, complaints, resolution sessions, advisory opinions, and due process hearings. Implementation is expected in 2007.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005:**

Revisions, with Justification, to Improvement Activities / Timelines / Resources

The revised activities were developed to eliminate any late hearing decisions.