

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development:

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(The following items are to be completed for each monitoring priority/indicator.)

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.

Overview of Issue/Description of System or Process:

The due process hearing system is overseen by the Department’s Bureau of Special Education, which appoints contracted hearing officers. All 12 hearing officers are attorneys in good standing with their respective state bar associations and have experience in education.

Within 45 calendar days after receipt of a request for a hearing a final decision is rendered. Hearing officers may grant a specific extension of time beyond the 45 calendar day time line for certain reasons at the request of either party.

Prior to a due process hearing, mediation and advisory opinion are available through the state. Department consultants are assigned for mediations and hearing officers are assigned for advisory opinions.

Baseline Data for FFY 2004 (2004-2005):

$$3 + 24 (27) / 29 \times 100 = 93\%$$

Discussion of Baseline Data:

For the 2004-05 school year, 291 hearing requests were received by the Department. Of this total number of requests, 29 resulted in fully adjudicated hearing decisions. Twenty-seven of these were completed within required timelines. This represents a timely completion rate of 93 percent. This is an increase over the rate reported in 2005 APR (89.5 percent). The 7 percent of due process hearings not completed in a timely manner represent two hearing decisions. The Department continues to work diligently with hearing officers regarding adherence to timelines.

SPP Template – Part B (3)

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100%
2006 (2006-2007)	100%
2007 (2007-2008)	100%
2008 (2008-2009)	100%
2009 (2009-2010)	100%
2010 (2010-2011)	100%

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> Development of data collection system that tracks timelines and provides “tickler” system to distribute reminders to hearing officers. 	2006-07 school year	<ul style="list-style-type: none"> Office of Information Systems database development
<ul style="list-style-type: none"> Development of data collection system that integrates management of mediations, complaints and due process hearings. 	2006-07 school year	<ul style="list-style-type: none"> Office of Information Systems database development
<ul style="list-style-type: none"> Provide training and technical assistance to mediators, LEAs and families on alternatives to dispute resolution including IEP facilitation. 	2006-07 school year through 2008	<ul style="list-style-type: none"> State Education Resource Center (SERC) Consortium for Appropriate Dispute Resolution in Special Education (CADRE) Parent Training and Information Center (PTI)- The Connecticut Parent Advocacy Center (CPAC)

SPP Template – Part B (3)

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Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> Develop a brochure on use of LEA and state alternatives to dispute resolution. 	2006-07 school year	<ul style="list-style-type: none"> SERC CADRE
<ul style="list-style-type: none"> Provide frequent and regular reminders to hearing officers of required timelines. 	2006-07 school year through 2011	<ul style="list-style-type: none"> Data Bases
<ul style="list-style-type: none"> Training to hearing officers in new timelines required by IDEA 2004 and system for tracking timelines. 	2006	<ul style="list-style-type: none"> Due Process Unit
<ul style="list-style-type: none"> Include timely hearing completions as a performance measure for annual hearing officer appraisal. 	2006-school year through 2011	<ul style="list-style-type: none"> Due Process Unit
<ul style="list-style-type: none"> Professional development for due process hearing officers – eight days per year. 	2006-07 through 2011	<ul style="list-style-type: none"> Due Process Unit
<ul style="list-style-type: none"> Individualized professional development for due process hearing officers. 	2006-07 school year through 2011	<ul style="list-style-type: none"> \$400 per hearing officer per year
<ul style="list-style-type: none"> Provide a summary of due process hearing data and timely completions data to hearing officers on an annual basis. 	2006-07 school year through 2011	<ul style="list-style-type: none"> Due Process Unit
<ul style="list-style-type: none"> Annual review of data on due process hearing timelines to determine if trends exist with specific hearing officers. 	2006-07 school year through 2011	<ul style="list-style-type: none"> Due Process Unit
<ul style="list-style-type: none"> Implement a supplemental tracking activity to ensure timely rendering of decisions. 	January 2007	<ul style="list-style-type: none"> Hearing officer training Department personnel