

CADRE State Dispute Resolution Summary Report
[A Five Year Summary of Reported Activity]

Prepared by CADRE, the Center for Appropriate Dispute Resolution in Special Education, based on Annual Performance Report and IDEA Section 618 Dispute Resolution data reported to the Office of Special Education Programs of the U. S. Education Department.*

School Year 2008-09		NEW YORK		Total Child Count (ages 3 to 21):		444,339		% Served (ages 6 to 17):		12.18%	
<u>Written Complaints</u>		Reported	Per 10K	<u>Mediations</u>		Reported	Per 10K	<u>Due Process Complaints</u>		Reported	Per 10K
(1) Filed		299	6.7	(1) Requests		361	8.1	3) DP Complaints Filed		6064	136.5
(1.1) Reports Issued		282	6.3	(2.1)(a) Held, DP Related		16	0.4	(3.1) Resolution Meetings		4865	109.5
(1.1)(a) Reports with Findings		157	3.5	(2.1)(a)(i) Agreements, DP Related		10	0.2	(3.1)(a) Settlement Agreements		639	14.4
[Reports with No Findings]		125	2.8	(2.1)(b) Held, Not DP Related		193	4.3	(3.2) Held (Fully Adjudicated)		552	12.4
(1.1)(b) Completed w/in 60 Days		270	6.1	(2.1)(b)(i) Agreements, Not DP Related		174	3.9	(3.2)(a) Decisions w/in 45 Days		118	2.7
(1.1)(c) Completed w/in Extension		2	0.0	[Total Held]		209	4.7	(3.2)(b) Decisions w/in Extension		330	7.4
[Total w/in Timelines]		272	6.1	[Total Agreements]		184	4.1	[Decisions Within Timelines]		448	10.1
(1.2) Withdrawn or Dismissed		17	0.4	(2.2) Mediations Not Held		152	3.4	[Pending]		1139	25.6
(1.3) Pending		0	0.0					(3.3) Resolved w/o a Hearing		4373	98.4
(1.3)(a) Pending Hearing		0	0.0								
<u>Expedited Due Process Complaints**</u>											
								(4) Expedited DP Complaints Filed		21	0.5
								(4.1) [Expedited] Resolution Sessions		17	0.4
								(4.1)(a) [Expedited] Settlement Agreements		5	0.1
								(4.2) Expedited Hearings (fully adjudicated)		5	0.1
								(4.2)(a) Change of Placement Ordered		1	0.0

Notes: [Values in brackets] are calculated based on definitions from OSEP reporting instructions. (Numbers in parens) are item numbers from APR Table 7. "Per 10K" values equal the number of events divided by child count (3-21 years) times 10,000; these "per capita" rates allow comparisons of activity across states.

* Sources: 2004-05 and 2005-06 data are from State APRs, Table 7, compiled by CADRE; 2006-07, 2007-08 and 2008-09 are Section 618 data from the Westat/Data Accountability Center, files = <2006-07 (csv) - Updated>, <2007-08 (csv)> and <2008-09 (csv)> available at: <https://www.ideadata.org/PartBDispRes.asp>.

** Expedited due process complaints data became a required collection in 2005-06; zeros for 2004-05 may indicate that data on expedited due process complaints were not collected that year by that state. All expedited complaints data elements except (4.2)(a) are subsets of the due process complaints data reported for the same year.

School Year 2004-05

NEW YORK

Total Child Count (ages 3 to 21):

452,312

% Served (ages 6 to 17):

11.93%

<u>Written Complaints</u>	Reported	Per 10K	<u>Mediations</u>	Reported	Per 10K	<u>Due Process Complaints</u>	Reported	Per 10K
(1) Filed	362	8.0	(1) Requests	511	11.3	3) DP Complaints Filed	5422	119.9
(1.1) Reports Issued	252	5.6	(2.1)(a) Held, DP Related	0	0.0	(3.1) Resolution Meetings	0	0.0
(1.1)(a) Reports with Findings	239	5.3	(2.1)(a)(i) Agreements, DP Related	0	0.0	(3.1)(a) Settlement Agreements	0	0.0
[Reports with No Findings]	13	0.3	(2.1)(b) Held, Not DP Related	379	8.4	(3.2) Held (Fully Adjudicated)	1294	28.6
(1.1)(b) Completed w/in 60 Days	234	5.2	(2.1)(b)(i) Agreements, Not DP Related	362	8.0	(3.2)(a) Decisions w/in 45 Days	481	10.6
(1.1)(c) Completed w/in Extension	5	0.1	[Total Held]	379	8.4	(3.2)(b) Decisions w/in Extension	599	13.2
[Total w/in Timelines]	239	5.3	[Total Agreements]	362	8.0	[Decisions Within Timelines]	1080	23.9
(1.2) Withdrawn or Dismissed	99	2.2	(2.2) Mediations Not Held	132	2.9	[Pending]	228	5.0
(1.3) Pending	11	0.2				(3.3) Resolved w/o a Hearing	3900	86.2
(1.3)(a) Pending Hearing	9	0.2						
<u>Expedited Due Process Complaints**</u>								
						(4) Expedited DP Complaints Filed	29	0.6
						(4.1) [Expedited] Resolution Sessions	0	0.0
						(4.1)(a) [Expedited] Settlement Agreements	0	0.0
						(4.2) Expedited Hearings (fully adjudicated)	10	0.2
						(4.2)(a) Change of Placement Ordered	0	0.0

NOTE: All mediations were reported as "not related to due process" for 2004-05. NY could not distinguish between mediations related to due process and those not related to due process.

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