

# CADRE State Dispute Resolution Summary Report

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 2004-05		NEW YORK		Total Child Count (ages 3 to 21):		452,312	% Served (ages 6 to 17):		11.93%
<u>Written Complaints</u>			<u>Mediations</u>			<u>Due Process Hearings</u>			
	Reported	Per 10K		Reported	Per 10K		Reported	Per 10K	
(1) Filed	362	8.0	(1) Requests	511	11.3	(3) Requests	5422	119.9	
(1.1) Reports Issued	252	5.6	(2.1)(a) Held, DP Related			(3.1) Resolution Meetings	0	0.0	
(1.1)(a) Reports with Findings	239	5.3	(2.1)(a)(i) Agreements, DP Related			(3.1)(a) Settlement Agreements	0	0.0	
[Reports with No Findings]	13	0.3	(2.1)(b) Held, Not DP Related			(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			(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(1.2) Withdrawn or Dismissed	99	2.2	(2.2) Mediations Not Held	132	2.9	[Pending]	228	5.0	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							
<b><u>Expedited Due Process Hearings**</u></b>									
			(4) Expedited Hearing Requests	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.

Notes: [Values in brackets] are calculated based on definitions from OSEP reporting instructions . (Numbers in parentheses) are item numbers from APR Table 7. "Per 10K" values equal the number of events divided by child count times 10,000 and allow comparison of event rates across states.

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

\*\* Expedited hearings data were first consistently collected in 2005-06; zero values for 2004-05 may only indicate that data on expedited due process data were not collected that year by that state. All expedited hearing data elements except (4.2)(a) are subsets of the Due Process Hearings reported for the same year.

---

School Year 2005-06	NEW YORK	Total Child Count (ages 3 to 21):	447,422	% Served (ages 6 to 17):	11.94%
---------------------	----------	-----------------------------------	---------	--------------------------	--------

---

<u>Written Complaints</u>	Reported	Per 10K	<u>Mediations</u>	Reported	Per 10K	<u>Due Process Hearings</u>	Reported	Per 10K
(1) Filed	326	7.3	(1) Requests	446	10.0	(3) Requests	5415	121.0
(1.1) Reports Issued	236	5.3	(2.1)(a) Held, DP Related	27	0.6	(3.1) Resolution Meetings	959	21.4
(1.1)(a) Reports with Findings	234	5.2	(2.1)(a)(i) Agreements, DP Related	21	0.5	(3.1)(a) Settlement Agreements	170	3.8
[Reports with No Findings]	2	0.0	(2.1)(b) Held, Not DP Related	312	7.0	(3.2) Held (Fully Adjudicated)	1054	23.6
(1.1)(b) Completed w/in 60 Days	218	4.9	(2.1)(b)(i) Agreements, Not DP Related	301	6.7	(3.2)(a) Decisions w/in 45 Days	233	5.2
(1.1)(c) Completed w/in Extension	7	0.2	[Total Held]	339	7.6	(3.2)(b) Decisions w/in Extension	646	14.4
[Total w/in Timelines]	225	5.0	[Total Agreements]	322	7.2	[Decisions Within Timelines]	879	19.6
(1.2) Withdrawn or Dismissed	89	2.0	(2.2) Mediations Not Held	107	2.4	[Pending]	184	4.1
(1.3) Pending	1	0.0				(3.3) Resolved w/o a Hearing	4177	93.4
(1.3)(a) Pending Hearing	0	0.0						
<u>Expedited Due Process Hearings**</u>								
			(4) Expedited Hearing Requests	25	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)	4	0.1			
			(4.2)(a) Change of Placement Ordered	0	0.0			

---

Notes: [Values in brackets] are calculated based on definitions from OSEP reporting instructions . (Numbers in parentheses) are item numbers from APR Table 7. "Per 10K" values equal the number of events divided by child count times 10,000 and allow comparison of event rates across states.

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

\*\* Expedited hearings data were first consistently collected in 2005-06; zero values for 2004-05 may only indicate that data on expedited due process data were not collected that year by that state. All expedited hearing data elements except (4.2)(a) are subsets of the Due Process Hearings reported for the same year.

---

School Year 2006-07	NEW YORK	Total Child Count (ages 3 to 21):	451,929	% Served (ages 6 to 17):	12.05%
---------------------	----------	-----------------------------------	---------	--------------------------	--------

---

<u>Written Complaints</u>	Reported	Per 10K	<u>Mediations</u>	Reported	Per 10K	<u>Due Process Hearings</u>	Reported	Per 10K
(1) Filed	210	4.6	(1) Requests	436	9.6	(3) Requests	5990	132.5
(1.1) Reports Issued	198	4.4	(2.1)(a) Held, DP Related	23	0.5	(3.1) Resolution Meetings	5664	125.3
(1.1)(a) Reports with Findings	169	3.7	(2.1)(a)(i) Agreements, DP Related	15	0.3	(3.1)(a) Settlement Agreements	587	13.0
[Reports with No Findings]	29	0.6	(2.1)(b) Held, Not DP Related	255	5.6	(3.2) Held (Fully Adjudicated)	810	17.9
(1.1)(b) Completed w/in 60 Days	162	3.6	(2.1)(b)(i) Agreements, Not DP Related	237	5.2	(3.2)(a) Decisions w/in 45 Days	175	3.9
(1.1)(c) Completed w/in Extension	2	0.0	[Total Held]	278	6.2	(3.2)(b) Decisions w/in Extension	470	10.4
[Total w/in Timelines]	164	3.6	[Total Agreements]	252	5.6	[Decisions Within Timelines]	645	14.3
(1.2) Withdrawn or Dismissed	10	0.2	(2.2) Mediations Not Held	158	3.5	[Pending]	334	7.4
(1.3) Pending	2	0.0				(3.3) Resolved w/o a Hearing	4846	107.2
(1.3)(a) Pending Hearing	0	0.0						
<u>Expedited Due Process Hearings**</u>								
			(4) Expedited Hearing Requests	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)	16	0.4			
			(4.2)(a) Change of Placement Ordered	6	0.1			

---

Notes: [Values in brackets] are calculated based on definitions from OSEP reporting instructions . (Numbers in parentheses) are item numbers from APR Table 7. "Per 10K" values equal the number of events divided by child count times 10,000 and allow comparison of event rates across states.

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

\*\* Expedited hearings data were first consistently collected in 2005-06; zero values for 2004-05 may only indicate that data on expedited due process data were not collected that year by that state. All expedited hearing data elements except (4.2)(a) are subsets of the Due Process Hearings reported for the same year.

School Year 2007-08	NEW YORK	Total Child Count (ages 3 to 21):	453,715	% Served (ages 6 to 17):	12.29%
---------------------	----------	-----------------------------------	---------	--------------------------	--------

<u>Written Complaints</u>	Reported	Per 10K	<u>Mediations</u>	Reported	Per 10K	<u>Due Process Hearings</u>	Reported	Per 10K
(1) Filed	380	8.4	(1) Requests	427	9.4	(3) Requests	6075	133.9
(1.1) Reports Issued	339	7.5	(2.1)(a) Held, DP Related	17	0.4	(3.1) Resolution Meetings	4677	103.1
(1.1)(a) Reports with Findings	219	4.8	(2.1)(a)(i) Agreements, DP Related	12	0.3	(3.1)(a) Settlement Agreements	539	11.9
[Reports with No Findings]	120	2.6	(2.1)(b) Held, Not DP Related	240	5.3	(3.2) Held (Fully Adjudicated)	550	12.1
(1.1)(b) Completed w/in 60 Days	321	7.1	(2.1)(b)(i) Agreements, Not DP Related	219	4.8	(3.2)(a) Decisions w/in 45 Days	130	2.9
(1.1)(c) Completed w/in Extension	7	0.2	[Total Held]	257	5.7	(3.2)(b) Decisions w/in Extension	315	6.9
[Total w/in Timelines]	328	7.2	[Total Agreements]	231	5.1	[Decisions Within Timelines]	445	9.8
(1.2) Withdrawn or Dismissed	41	0.9	(2.2) Mediations Not Held	170	3.7	[Pending]	892	19.7
(1.3) Pending	0	0.0				(3.3) Resolved w/o a Hearing	4633	102.1
(1.3)(a) Pending Hearing	0	0.0						
<b><u>Expedited Due Process Hearings**</u></b>								
			(4) Expedited Hearing Requests	24	0.5			
			(4.1) [Expedited] Resolution Sessions	23	0.5			
			(4.1)(a) [Expedited] Settlement Agreements	5	0.1			
			(4.2) Expedited Hearings (fully adjudicated)	12	0.3			
			(4.2)(a) Change of Placement Ordered	7	0.2			

Notes: [Values in brackets] are calculated based on definitions from OSEP reporting instructions . (Numbers in parentheses) are item numbers from APR Table 7. "Per 10K" values equal the number of events divided by child count times 10,000 and allow comparison of event rates across states.

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

\*\* Expedited hearings data were first consistently collected in 2005-06; zero values for 2004-05 may only indicate that data on expedited due process data were not collected that year by that state. All expedited hearing data elements except (4.2)(a) are subsets of the Due Process Hearings reported for the same year.