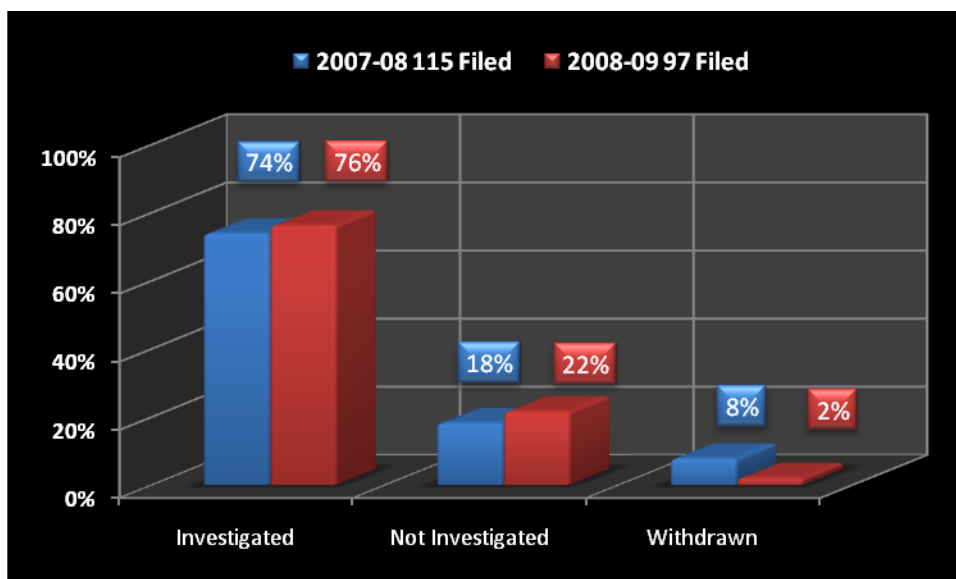
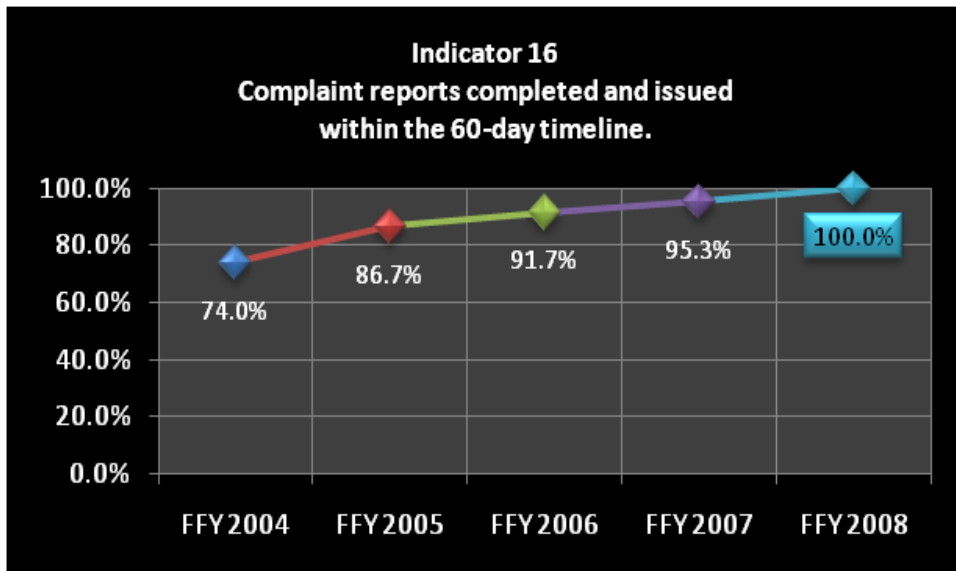


Special Education Formal Complaints July 1, 2008 – June 30, 2009

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, and the North Carolina *Policies Governing Services for Children with Disabilities*.

Special Education Formal Complaints	Number	Percentage	
• Signed written complaints received	97		
○ Complaints with reports issued	74	76.3%	
▪ Reports with findings of noncompliance	51	71.0%	
▪ Reports completed within timeline (Indicator 16)	67	90.5%	=
▪ Reports completed within extended timeline (Indicator 16)	7	9.5%	
• Complaints not investigated	21	21.6%	
• Complaints withdrawn	2	2.1%	



2008-2009 Findings of Noncompliance

Number of Cases and Number of Findings		Number of Cases and Number of Findings	
5 Cases	Child Find	8 Cases	IEP Team
5	Initiate process	7	Excusal of Required Member(s)
9 Cases	Discipline	2	Required Members in Attendance
1	Homebound Placement	4	Use of Team Process to Make Decisions
6	Manifestation Determination	14 Cases	Initial Evaluation Process & Evaluation Procedures
4	Protections for Children Not Yet Eligible	1	Consent
3	Provision of Services	2	Consider All Data to Determine Eligibility
5 Cases	Educational Placement – LRE	5	Evaluation Procedures
2	Continuum of Alternative Placements	3	Inform Parent Referral Must be in Writing
3	Other Placement	5	Referral
4 Cases	Educational Records	4	Required Evaluations
7 Cases	FAPE	4	Required Screenings
16 Cases	IEP Content	3	Review Existing Data
10	Addresses All the Needs of the Child	8	Timeline (90 days)
1	Agreements Documented in Minutes in IEP	8 Cases	Parent Participation
1	LRE Justification Statement	2	Native Language
8	Measurable Annual Goals	3	Alternative Ways to Ensure Parent Participation
1	Measurable Post-Secondary Transition Goals	2	Prior Notice (Invitation to Conference) Content
6	PLAAFP	1	Reasonable Response Time
3 Cases	IEP Meeting Participation	2 Cases	Personnel
7 Cases	IEP Must be in Effect	2	Highly Qualified Special Education Teacher
3	Beginning of School Year	14 Cases	Procedural Safeguards
2	Inform Teachers of Child of Their Responsibilities	4	Educational Records
2	Transfer within the State	4	Handbook on Parents' Rights
1	Transfer from Another State	4	Prior Written Notice
12 Cases	IEP Implementation	8	Prior Written Notice Content
2	Accommodations and Modifications	1	Transfer of Parental Rights
1	Behavior Intervention Plan	5 Cases	Reevaluation Process
4	General Education Participation	3	Assessments
1	Progress Reports	1	Consent
1	Related Services	4	Process
9	Special Education Services		
8 Cases	IEP Review and Revise, as Appropriate		
1	Amend Without a Meeting		
2	Annually		
8	As Appropriate		