

MSDE Public Website of State Performance Plan Results

Local School System Results for Special Education

Maryland: 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.

Results

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
State Baseline:	88.61%	-	-	-	-	-	-
State Target:	-	100%	100%	100%	100%	100%	100%
State Results:	-	97%	-	-	-	-	-

Narrative Description of Indicator

97% of due process hearings were completed within the required timelines. This represents one (1) due process hearing not completed within acceptable timelines. This is an improvement over the previous year where nine (9) decisions were not issued within the required timelines. The one (1) decision not rendered within the required timelines was a result of the parent and the local school system agreeing to continue to try to resolve the dispute through ongoing resolution meetings. The complaint required an expedited due process hearing, and therefore, an extension of time is not permitted. In light of this decision being issued outside of the expedited timelines the DSE/EIS recognized that further steps needed to be taken to avoid future occurrences. A DSE/EIS staff member now reviews all due process complaints, and if it appears the complaint may require an expedited due process hearing the public agency is contacted and informed of the steps necessary to be taken to ensure a timely hearing as required. OSEP's March 20, 2006, letter regarding Maryland's SPP identified Indicator #17 as requiring action. The letter states, "The State must submit data that demonstrate compliance with this requirement by June 1, 2006." In response to this request, the DSE/EIS responded, by letter, dated May 10, 2006. In our response the above mentioned due process hearing which was not completed within required timelines was also documented along with the actions taken to remediate any future occurrences as referenced above.

STATE: Maryland

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	157
(1.1) Complaints with reports issued	134
(a) Reports with findings	109
(b) Reports within timeline	124
(c) Reports within extended timelines	9
(1.2) Complaints withdrawn or dismissed	20
(1.3) Complaints pending	3 *
(a) Complaint pending a due process hearing	2
SECTION B: Mediation requests	
(2) Mediation requests total	425
(2.1) Mediations	Calculated Value
(a) Mediations related to due process	120
(i) Mediation agreements	81
(b) Mediations not related to due process	115
(i) Mediation agreements	91
(2.2) Mediations not held (including pending)	190
SECTION C: Hearing requests	
(3) Hearing requests total	349
(3.1) Resolution sessions	108
(a) Settlement agreements	69
(3.2) Hearings (fully adjudicated)	33
(a) Decisions within timeline	17
(b) Decisions within extended timeline	20
(3.3) Resolved without a hearing	303
SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	11
(4.1) Resolution sessions	2
(a) Settlement agreements	1
(4.2) Expedited hearings (fully adjudicated)	2
(a) Change of placement ordered	2

*The 1 complaint pending other than for a due process hearing was held in abeyance because the parent requested the State Board of Education review a decision of the local education agency Board of Education.