

**SEAC
ANNUAL
DUE PROCESS
REPORT**

SY 2024-25

MAY 8, 2026

PURPOSE OF ANNUAL REVIEW

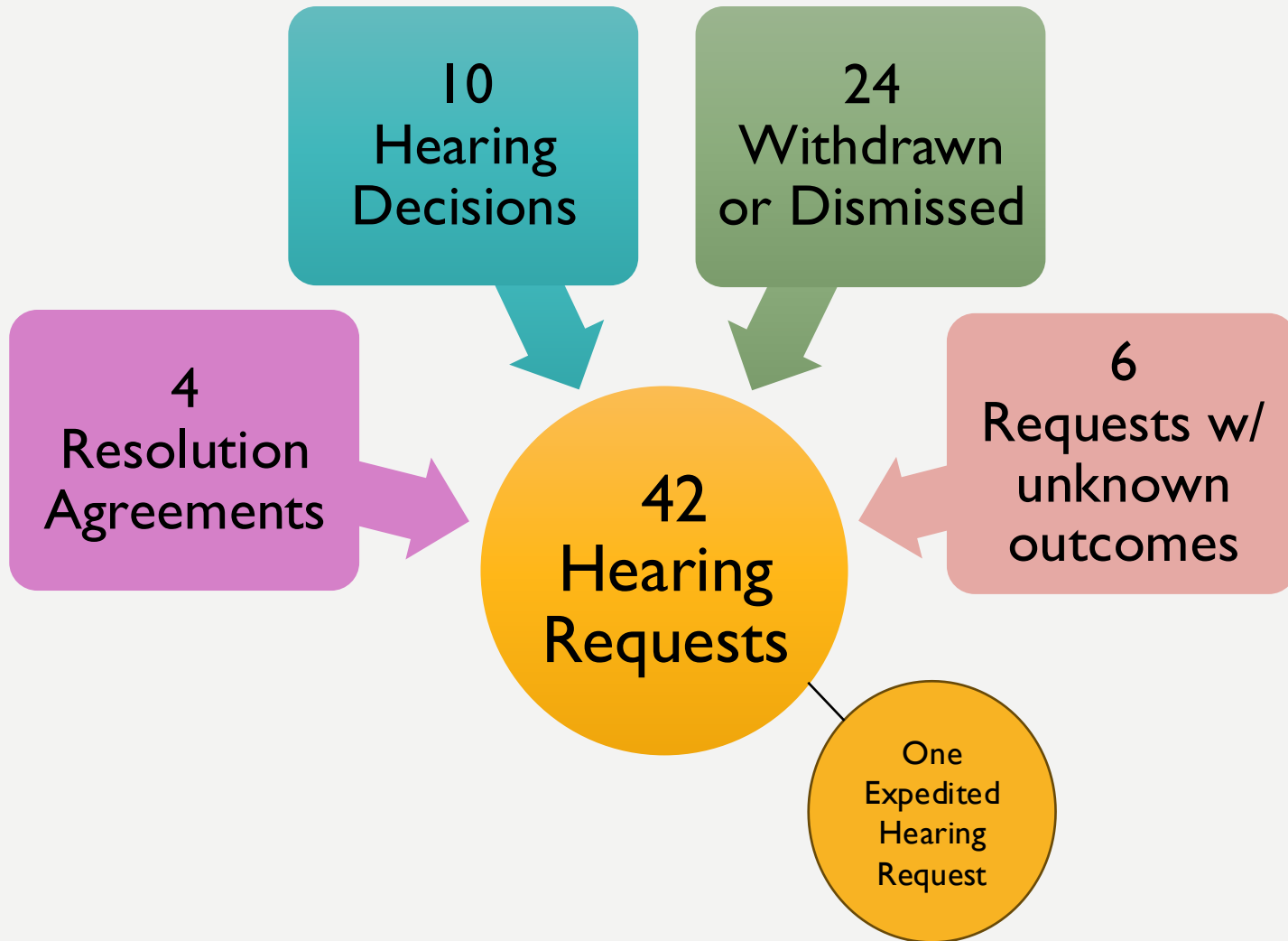
- Requirement of State Advisory Panels under IDEA to review due process hearing decisions
- Annual Report a priority activity for SEAC since 2005
 - Began with move from independent hearing officers to DCCA
 - Effort to reduce high incidence of formal dispute resolution
 - Proactive preference for early dispute resolution to save money and relationships
 - Concern that a parent's right to a due process hearing is jeopardized by a shortage of plaintiff attorneys

CADRE Continuum of Dispute Resolution Processes & Practices

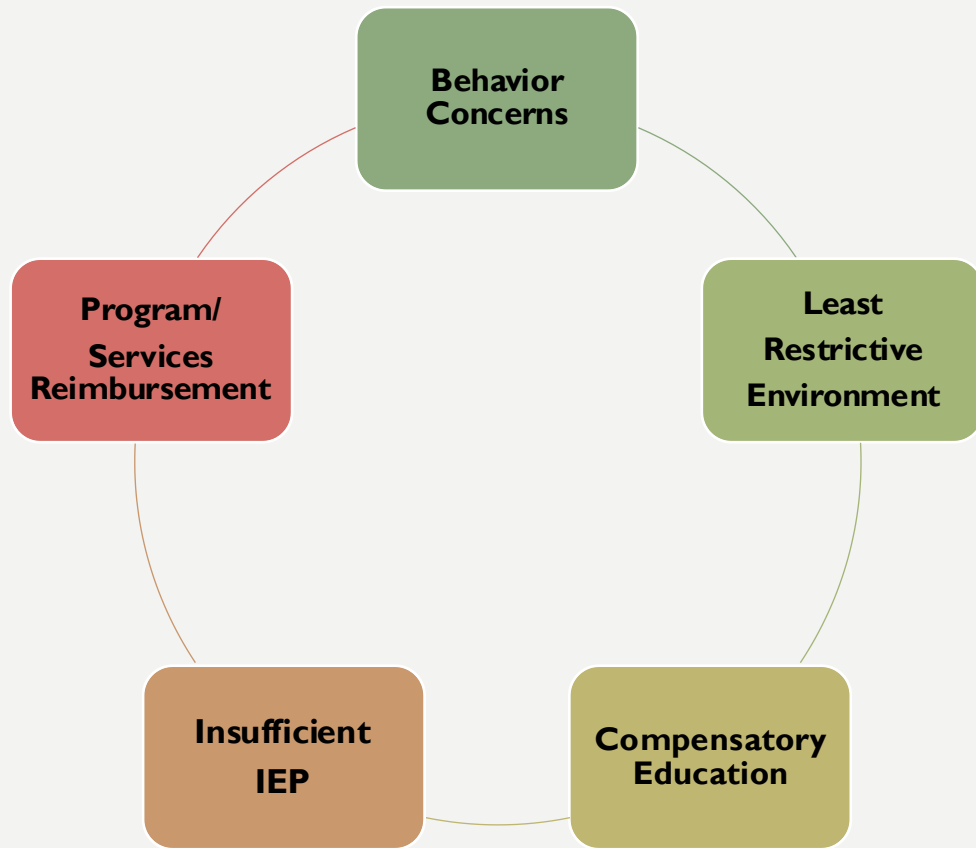
Stages of Conflict	Stage I			Stage II		Stage III			Stage IV			Stage V						
Levels of Intervention	Prevention			Disagreement		Conflict			Procedural Safeguards			Legal Review						
Assistance/ Intervention Options	Family Engagement	Participant & Stakeholder Training	Stakeholder Council	Collaborative Rule Making	Parent to Parent Assistance	Case Manager	Telephone Intermediary	Facilitation	Mediation Models	Ombudsperson	Third Party Opinion/Consultation	Resolution Meeting	Mediation Under IDEA	Written State Complaints	Due Process Hearing	Hearing Appeal (Two-Tier Systems)	Litigation	Legislation
Dimensions that help clarify placement of the options along the continuum	Third Party Assistance						Third Party Intervention											
	Decision Making by Parties						Decision Making by Third-Party											
	Interest-Based						Rights-Based											
	Informal & Flexible						Formal & Fixed											

<https://cadreworks.org/cadre-continuum>

RESOLUTION OF SY 2024-25 HEARING REQUESTS

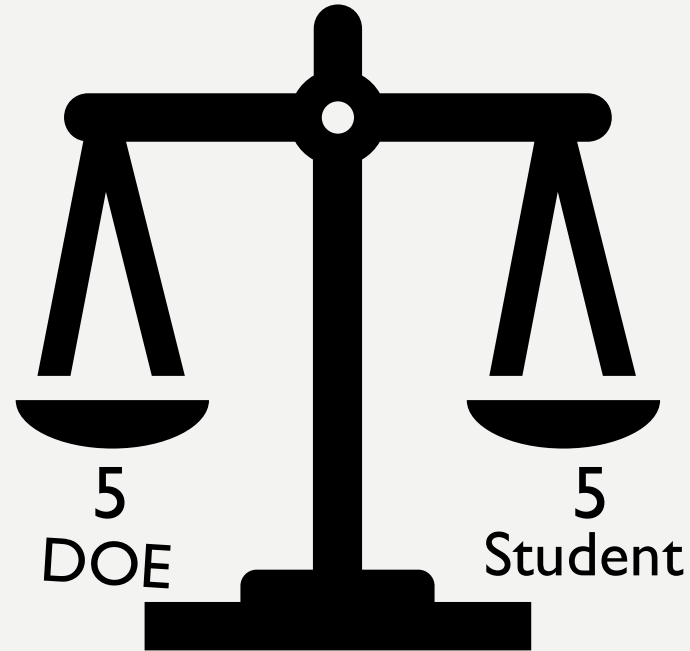


TOP 5 ISSUES IN SY 24-25 DUE PROCESS HEARINGS



Other issues: related services, ESY, IEE, transition, evaluations, parent participation

PREVAILING PARTIES FOR SY 2024-25



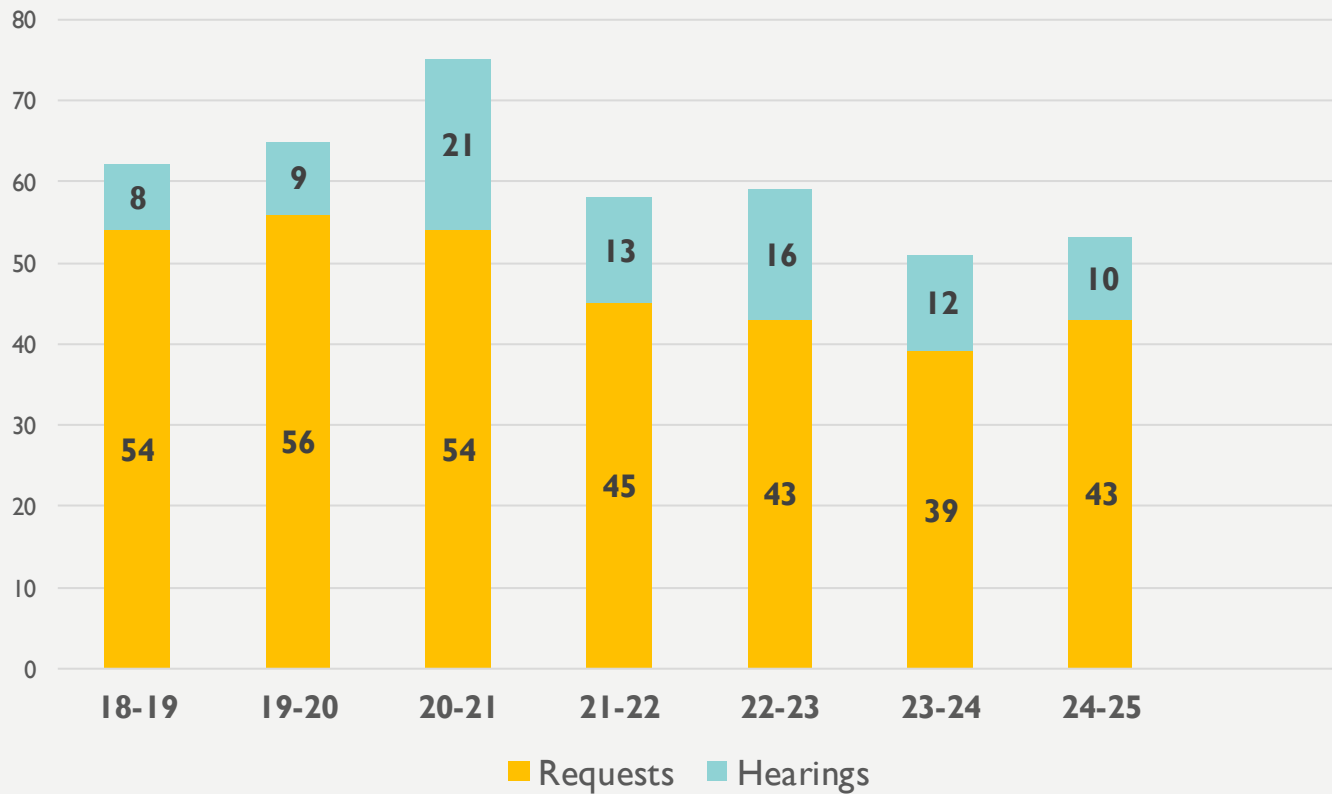
9 hearing requests were filed by parents on behalf of the student and 1 hearing request was filed by DOE in response to a request for an IEE.

TIMELINESS - SY 24-25 HEARINGS

DP Request #	Total Days (Filing to Decision)	Total Days (Hearing to Decision)
SY2425-002	119 days	35 days
SY2425-008	89 days	59 days
SY2425-009	253 days	105 days
SY2425-016	144 days	45 days
SY2425-020	64 days	33 days
SY2425-023	98 days	37 days
SY2425-024	132 days	35 days
SY2425-029	59 days	15 days
SY2425-032	160 days	51 days
SY2425-036*	133 days	11 days

*DOE filed hearing request due to request for IEE, so timeline from request to decision is 45 days.

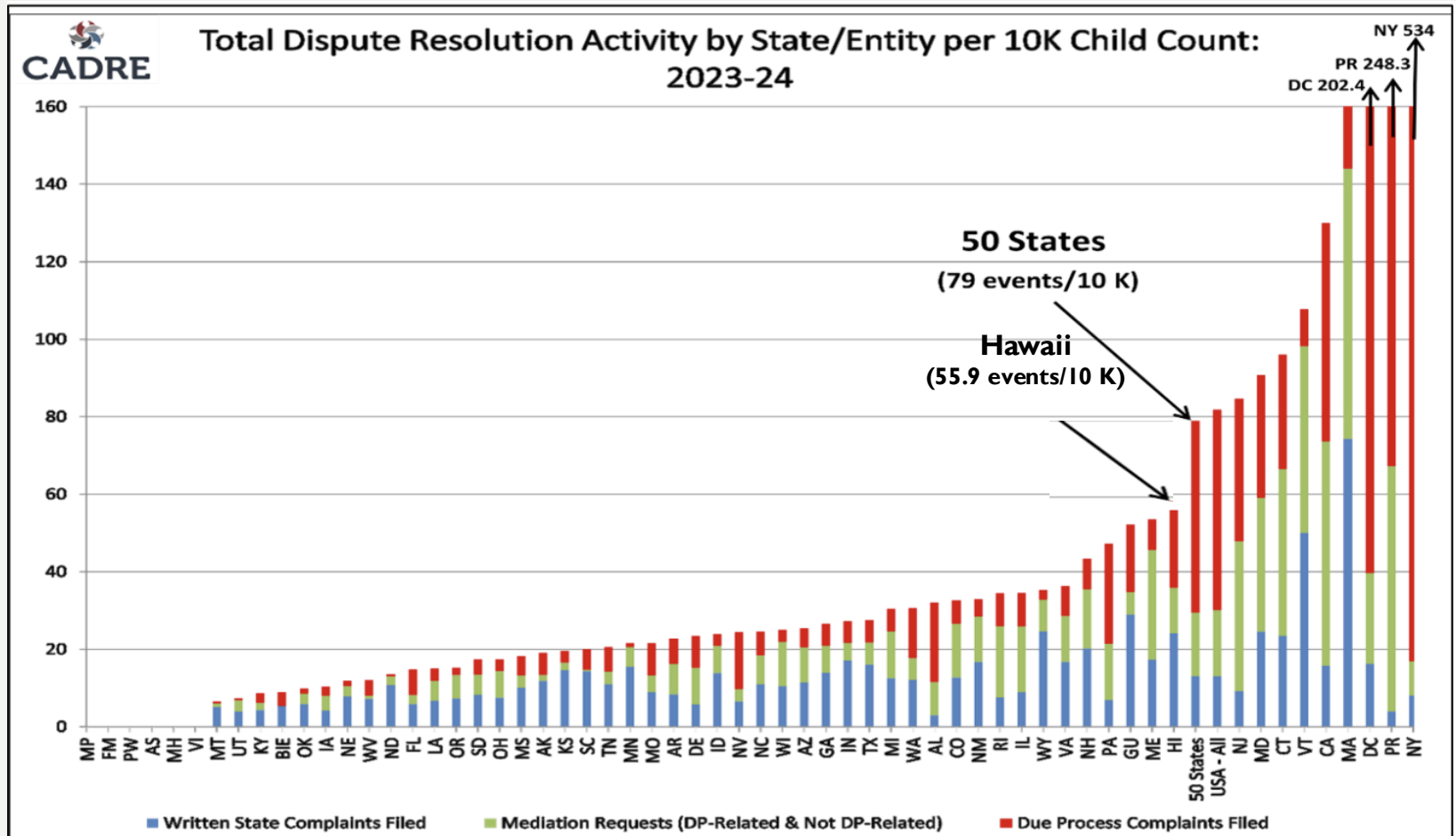
7-YR COMPARISON OF HEARING REQUESTS AND HEARING DECISIONS



5-YEAR COMPARISON OF HAWAII RESOLUTION SESSIONS AND RESULTING SETTLEMENT AGREEMENTS



COMPARISON TO NATIONAL DATA ALL COMPLAINTS (PER 10K SPED STUDENTS)



Source: CADRE, IDEA Resolution Data Summary, 2023-24



AREAS OF CONCERN: RESOLUTION SESSIONS

The **34 resolution sessions** reported in the 618 Data Table on Dispute Resolution, resulted in only 4 written settlement agreements.

This is the lowest rate of agreement in five years (11.8%) and considerably lower than the 47.4% rate reached in SY 21-22.



AREAS OF CONCERN: TIMELINESS

Only two of the 10 decisions were rendered within the recommended timeline set in IDEA of 75 days. One of the decisions was posted **253 days** after the initial request for hearing.

In 80% of the hearings, there was a delay of more than 30 days until the posting of the hearing officer's decision. One decision had a gap of **105 days** between the last hearing date and the posted decision.

AREAS OF CONCERN:



AVAILABILITY & AFFORDABILITY OF PLAINTIFF ATTORNEYS

SEAC has documented reports from **families who were unable to retain a plaintiff attorney** to represent them in a due process hearing over the past three to four years.

One attorney represented 9 out of 10 students in SY 24-25. It is unclear whether he works on a contingency fee basis or whether he requires a retainer to represent the student/parents.