

# Due Process Hearings Under the IDEA

## • A Longitudinal Frequency Analysis

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- **The authors obtained the number of due process hearings adjudicated (i.e., conducted to completion resulting in a written decision) from 1991 to 2005.**
- **On an overall basis for the nation, the pattern was a steady upward slope from 1991 to 1996, followed by a relative leveling off since 1997. The high plateau since 1997 is more undulating when the national totals are adjusted for the gradual growth of special education enrollments during the entire period.**
- **The state-by-state totals for the entire period revealed that relatively few states—starting with New York and New Jersey—accounted for the vast majority of these hearings, with a corresponding small group of states at the other extreme accounting for a negligible amount of hearings. When adjusted for special education enrollments, the state totals revealed some major changes in rank-order position, whereas New York remained ranked as 1 and Utah as 50.**

The Individuals With Disabilities Education Act (IDEA) obligates school districts to identify students with disabilities and provide them with a free and appropriate public education, which includes special education services. At times, school districts and parents disagree about whether a child is eligible under the IDEA or whether the proposed services are appropriate. The primary mechanism for dispute resolution under the IDEA is a due process hearing. More specifically, the IDEA regulations (§ 300.507(a)) provide that “a parent or a public agency may file a due process complaint on . . . the identification, evaluation or educational placement of a child with a disability, or the provision of FAPE [free and appropriate public education] to the child.”

Under the IDEA provision for due process hearings (§ 1415(g)), states have a choice of a one-tier system, which is limited to the hearing officer level, or a two-tier system, which provides a second, review officer level to the administrative dispute resolution system prior to either party resorting to court action. The clear and increasing majority of the states—approximately 35 plus the District of Columbia (D.C.)—have opted for a one-tier system (Ahearn, 2002). In a one-tier system, the state provides a pool of impartial hearing officers, who in some states are full-time administrative law judges and in other states are part-time individuals who are either attorneys or special education personnel, to conduct

administrative adjudications. The only hearing officer qualifications specified in the IDEA in addition to impartiality are competence in conducting hearings, knowledge of special education law, and ability to write legally appropriate decisions (§1415(f)(3)(A)).

Because of continuing concerns about the time-consuming and adversarial nature of this administrative dispute resolution mechanism (Goldberg & Kuriloff, 1991; Zirkel, 1994; Zirkel, 2005), Congress included in the amendments to the IDEA, which went into effect on July 1, 2005, the requirement of a resolution session as an informal dispute-resolution step prior to a due process hearing (§ 1415(f)(1)(B)). One of the features of this new procedure is that the school district may not bring its attorney if the parents are not accompanied by their attorney. Whether this new resolution session provision will reduce the number of due process hearings is unknown and subject to dispute at this time (Edwards, 2005), but there is a need for up-to-date baseline data.

The primary purpose of this article is to track the trend in the number of due process hearings that have been adjudicated (i.e., in which the hearing officer issued a written decision) nationally for the past 15 years. The secondary purpose is to rank order the states by the number of adjudicated hearings both on an overall basis and on a per capita basis (i.e., per 10000 special education students).

## Previous Research

Previous research concerning IDEA due process hearings has explored such topics as the characteristics of hearing officers (Turnbull, Strickland, & Turnbull, 1981), state systems for hearings (Katsiyannis & Klare, 1991), costs of hearings (Chambers, Harr, & Dhanani, 2003), issues of hearings (Kammerlohr, Henderson, & Rock, 1983), and outcomes in terms of wins/losses (Newcomer & Zirkel, 1999). However, to date, there has been limited research investigating the longitudinal trends of the number of due process hearings nationwide. Moreover, these longitudinal studies have been largely limited to published hearing officer/review and court decisions (i.e., those submitted and selected for publication in recognized case law series). In the leading study, Zirkel and D'Angelo (2002) found an upward trend in the volume of published decisions at both the hearing/review officer and court levels during the period of 1978 to 2000. The subperiod of 1992 to 2000 accounted for more than half of the decisions at both levels. However, as D'Angelo, Lutz, and Zirkel (2004) found, the hearing/review decisions that are published are not necessarily representative of the entire population of such decisions. For example, they found in a random sample of states that the frequency of published hearing officer decisions per year does not reflect the trend in the total number of such adjudicated hearings.

In the only nationwide longitudinal study of the population of hearing and review officer decisions requested—regardless of whether they were ultimately published adjudicated—the National Association of State Directors of Special Education (NASDSE; Ahearn, 2002) collected data from state directors of special education in the 50 states and D.C. for the years 1991 through 2000. Ahearn compiled various tables, but the primary one is the number of due process hearings held because it is the common metric for administrative adjudications under the IDEA; hearings requested may be subject to withdrawal or settlement at any point before being completed, and review officer proceedings occur in a relatively limited and declining number of states. The said table provided the number of adjudicated hearings for each of these 10 years by state and, in a total column, for the nation. However, the table did not provide the totals for each state, and Ahearn did

not provide any accompanying trends analysis. Examination of the nationwide totals revealed that the number of adjudicated hearings increased rather dramatically from 1574 in 1992 to 3555 in 1996 and declined more gradually since then to 3020 in 2000. However, as Ahearn acknowledged, a limitation in the data collection was that the states did not follow a uniform starting and ending date for each year; some used calendar years, whereas others used fiscal or school years. Ahearn concluded that analysis on a total cross-state basis was nevertheless feasible in terms of “comparison of annual incidence, even though the specified year does not cover exactly the same span of months” (p. 2). She did not acknowledge another limitation that could significantly affect the comparative totals for the 10-year period. Specifically, an average of approximately four states, although not the same ones, per year, failed to provide data, and Ahearn did not adjust or designate the totals accordingly for these missing data. Finally, apparently because of funding limitations, Ahearn did not continue collecting the annual volume of IDEA hearings after the data for 2000.

In a study ordered by Congress in light of concerns with the IDEA's dispute resolution process, the United States General Accounting Office (GAO; 2003) based that part of its analysis specific to the volume of adjudicated due process hearings on Ahearn's (2002) data for 1996 to 2000. The GAO reported that the total number of due process hearings held decreased from 3555 to 3020 during that limited period. However, the report failed to acknowledge the limitations of the Ahearn study and considered only the latter, descending half of her data.

In addition, the GAO (2003) provided a limited analysis of the number of due process hearings by state, not just year, and on a per capita, not just an overall, basis. First, based on Ahearn's (2002) figures for 1996 to 2000, the GAO found that five states—California, Maryland, New Jersey, New York, and Pennsylvania—and D.C. accounted for almost 80% of all the hearings held. Second, on a per capita basis, the GAO reported only the national average for the year 2000, which was five hearings held per 10000 students with disabilities, and the range of the per capita figures for the aforementioned five states for the period from 1996 to 2000, specifically, from a low of 3 in California to a high of 24 in New York and, as

a separate jurisdiction, 336 in D.C. However, the GAO report did not provide the per capita figures for any of the other states, including whether Maryland, New Jersey, and Pennsylvania retained their same high rankings on this enrollment-adjusted basis. Moreover, the GAO did not acknowledge or respond to the missing data in calculating the per capita ratios based on Ahearn's (2002) report. Finally, although its source presumably was the U.S. Department of Education annual reports to Congress under the IDEA, the GAO did not specify the year or years and age range for the denominator of these ratios, thus further warranting more specific trends analyses.

## Method

The purpose of this study was to track the trend in the number of due process hearings that have been adjudicated nationally for the past 15 years and to rank order the states by the number of hearings held on an overall and per capita basis. Inasmuch as the limitations of our resources and the states' record keeping made it infeasible to start anew from 1991 or an earlier year, we started with the hearings held data from the NASDSE 10-year study (Ahearn, 2002) and added three features: 1) an update for the subsequent 5-year period, 2001 to 2005; 2) a statistical adjustment for missing data; and 3) more detailed trends analyses than the GAO (2003) presented.

For the first feature, we sent a survey form to the special education director of every state and D.C., asking them to either respond directly or to forward the form to their designee for this purpose. The relevant item requested the number of due process hearings held for each of the years 2001 through 2005. More specifically, based on feedback from two state special education representatives and after consultation with NASDE's Ahearn for the sake of continuity and clarity, the survey instrument defined hearings held as those that were adjudicated (i.e., the hearing officer issued a written decision, including an order based on a settlement agreement). Approximately 70% of the states responded to the first request. As a result of a second e-mailing and follow-up e-mails and telephone calls, all 50 states provided data. However, Hawaii's representative declined to provide data for 2001 and 2002 based on its concern with changing the starting and ending dates for the annual collection, and New York provided data that included such a change in data

collection. D.C. was the only jurisdiction that failed to provide data for the entire 5-year period. We excluded D.C. from the analyses for two combined reasons. First, estimating the missing data for the entire period would be clearly questionable. Second, this jurisdiction is unique in terms of not only its special legal status—in comparison to the 50 states—in general, but also its distinctive legal features under the IDEA. For example, the District of Columbia Appropriation Act (2005) puts a cap on the amount of attorney's fees. Similarly, this jurisdiction stands apart from the other jurisdictions under the IDEA in terms of not only the frequency but also the outcomes of due process hearings and court cases (Zirkel & D'Angelo, 2002), largely attributable to the chaotic condition of its special education system, including its due process hearing component. Both the press (e.g., Blum, 2002; Samuels, 2005) and the courts (e.g., *Blackman v. District of Columbia*, 2007; Blum, 2002; *DL v. District of Columbia*, 2006; Samuels, 2005) have recognized this idiosyncratic crisis.

The data analysis included two procedures to improve, not just update, the NASDSE (Ahearn, 2002) and GAO (2003) analyses. First, for estimation of the blank cells within the Ahearn report and during more recent years, we used the linear-trend-at-point missing data replacement procedure in SPSS (SPSS, Inc., 2006). This regression imputation procedure replaces a missing value based on extrapolation from a linear trend, using the entire set of reported values—in this case, the data for the state for the rest of the period from 1991 to 2005—for a given variable, which in this case is the number of adjudicated hearings. New York was a special case; its data were not missing but warranted adjustment for the transition in 2002 from one starting and ending point to another for its annual compilation. To smooth out the artificial bump without double counting the hearings, the adjustment was to reallocate the 409 overlapping cases between 2002 and 2003, attributing half of them to each of these 2 years. Second, for the per capita calculations, we obtained the number of students aged 3 to 21 years served under IDEA for each year during the period from 1991 to 2005 as available in one source for the first 13 years of this period (U.S. Department of Education, Office of Special Education Programs, 1991–2003) and as available in a separate source for the most recent 2 years (U.S. Department of Education, Office of Special Education Programs, 2004–2005). These

figures served as the denominator to calculate the per capita ratio, on a per 10000 student basis, for the annual national and state-by-state rank-order analyses.

## Results

The *appendix* provides the number of adjudicated hearings within and across the 50 states for the 15-year period from 1991 to 2005. The NASDSE (Ahearn, 2002) data were the basis for the first 10 years, whereas our survey provided the update for the final 5 years. An asterisk denotes the estimation of missing data, whereas the cloverleaf symbol designates the reallocation of data between the 2 years when New York changed its record-keeping year. Because of the limitations arising from changes in procedures or personnel within a state, caution is warranted against analyzing year-to-year trends per state. Rather, our trends analyses focused on the totals per year and per state.

*Figure 1* provides a bar graph depicting the overall volume of adjudicated due process hearings for the 50 states from 1991 to 2005. The lower, darker portions of the bars represent the reported figures, whereas the upper, lighter segments represent the estimations of missing data or, for 2002 and 2003, the reallocated data for New York. Examination of *Figure 1* reveals that the totals increased steadily from 1991 to 1997 and have remained relatively and approximately level—analogue to an uneven plateau—since 1997, ranging from a low point in 2000 to a high point in 2004.

In comparison, *Figure 2* represents a reanalysis of the same annual totals on a per capita basis (i.e., per 10000 special education students). For the first 7 years, the ascending trend remains basically the same, but for the subsequent 8 years, the up-and-down fluctuations are more pronounced in their amplitude. On this enrollment-proportioned basis, 2001 rather than 2000 was the low point for the more recent, fluctuating period.

*Table 1* ranks the states for the cumulative 15-year period first in terms of overall totals and then with the total proportioned on a special education enrollment basis. On an overall basis, the states with the highest totals are, in order, New York, New Jersey, Pennsylvania, California, Maryland, Illinois, Connecticut, and Texas. In its first-place position, New York has an overall total—unaffected by the

internal reallocation—that is more than 3 times as much as second-place New Jersey, with the 2 states together accounting for more than half (specifically, 56%) of the total for the 50 states. At the other extreme on the overall basis, an equal number of states—Nebraska, South Dakota, Alaska, Idaho, Montana, Wyoming, North Dakota, and Utah—each account for less than 40 adjudicated hearings for the 15-year period, together amounting to less than 1% of the 37069 adjudicated hearings. For the corresponding per capita rates, which represent adjusted totals in relation to the annual special education enrollments, New York and New Jersey retain their first- and second-place positions, with a reduced difference between the two, but several other states notably change their respective rankings. For example, California moves down from the 4th to 20th position, Illinois' rank reduces from 6th to 14th place, and Texas moves from 8th to 28th. In the other direction, Hawaii, Rhode Island, and New Hampshire each move up from the broad middle tier into the top eight on a per capita basis. At the other extreme, Utah and Nebraska remain in the bottom eight, whereas various other such states, including Alaska and South Dakota, move up considerably. Replacing them in the bottom group, several states moved downward, with the most dramatic examples being Florida reducing from 13th to 44th place and Ohio from 17th to 43rd place. Within the broad middle range, when examined on a per capita rather than overall basis, various states moved up considerably in their rank-order position (e.g., Delaware from 41st to 15th place) whereas various others dropped notably (e.g., Michigan from 17th to 39th place).

## Discussion

The major finding of this study is that, rather than the GAO's (2003) earlier reported reduction in the total number of adjudicated hearings, the trend for the broader period started with dramatic growth from 1991 to 1997 and then leveled to what amounted to a rather uneven plateau from 1997 to 2005, whether viewed on an overall or per capita basis. The major differences between this study and the GAO report are that 1) we examined a longer period, which extends 5 years on each side of the 1991 to 1996 GAO analysis; 2) we included estimates for various empty cells in the earlier

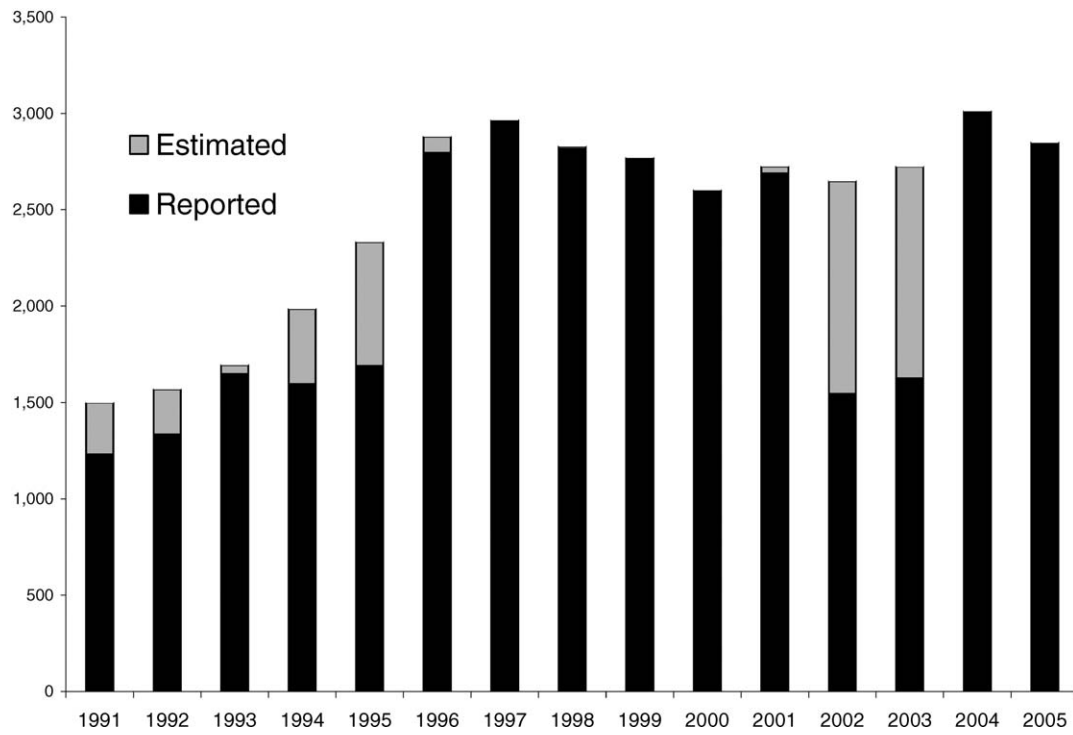


Figure 1. Annual frequency of adjudicated hearings on an overall basis

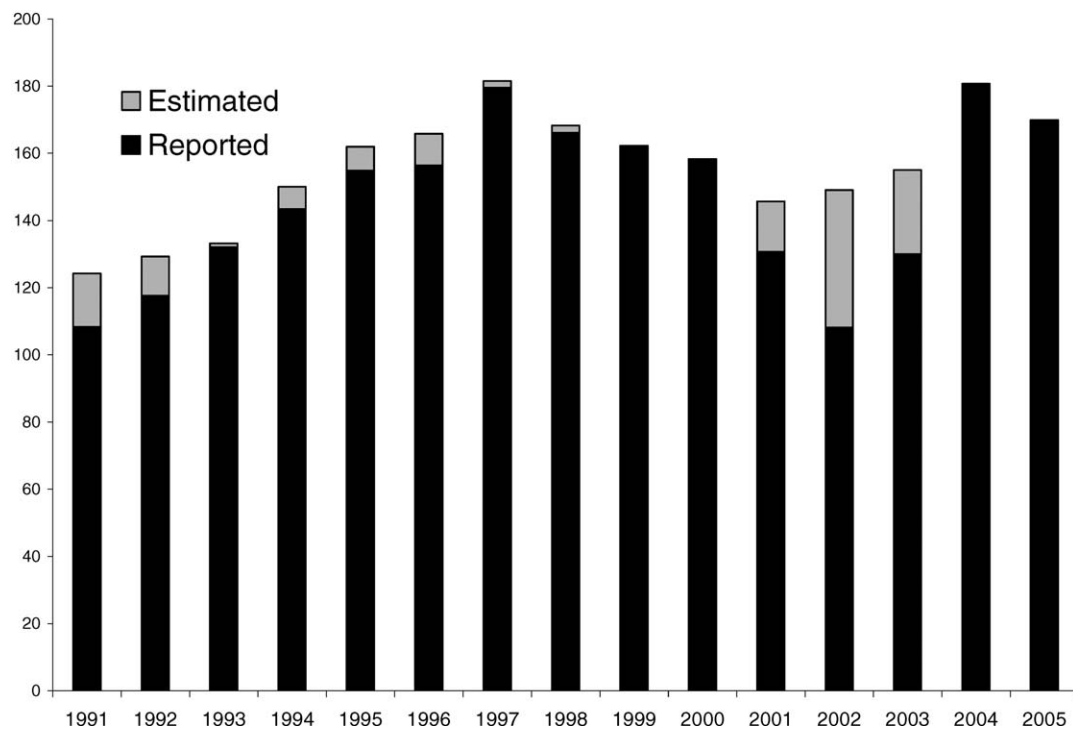


Figure 2. Annual frequency of adjudicated hearings on a per capita basis

**Table 1:** Overall and Per Capita Frequency of Adjudicated Hearings Per State.

1991–2005 hearings overall			1991–2005 hearings per 10,000 students		
Rank	State	Total	Rank	State	Per capita
1	NY	16,064*	1	NY	394.0*
2	NJ	4,687*	2	NJ	220.0*
3	PA	2,563	3	HI	164.1
4	CA	1,678	4	CT	163.6
5	MD	1,303*	5	RI	126.7
6	IL	1,252	6	MD	121.8*
7	CT	1,183	7	PA	110.0
8	TX	902*	8	NH	87.8
9	MA	724	9	ME	72.7
10	WA	460	10	VT	61.4
11	VA	419*	11	IL	46.7
12	TN	381*	12	MA	46.5
13	FL	375	13	WA	44.1
14	HI	348*	14	KS	40.2
15	RI	335	15	DE	35.6
16	IN	305	16	NV	32.0
17	MI	263	17	TN	31.1*
18	OH	262	18	VA	29.3*
19	ME	236	19	NM	28.8
20	NH	229	20	CA	27.8
21	KS	222	21	WV	25.2
22	MO	221	22	SD	23.9
23	AL	212	23	AR	22.8
24	GA	210	24	IN	22.0
25	MN	159	25	AL	21.8
26	KY	158	26	OK	20.2
27	WI	157	27	AK	19.7*
28	OK	149	28	TX	19.7*
29	NM	148	29	WY	19.3
30	LA	139	30	KY	17.8
31	SC	139*	31	MO	16.8
32	AR	130	32	ND	15.7
33	NC	126	33	MN	15.3
34	WV	119	34	LA	14.9
35	NV	103	35	GA	14.7
36	AZ	80	36	WI	13.8
37	OR	80	37	SC	13.8*
38	MS	74	38	MT	13.5
39	VT	74	39	MI	13.1
40	CO	62	40	ID	12.9
41	DE	58	41	OR	12.0
42	IA	57	42	MS	11.5
43	NE	38	43	OH	11.3
44	SD	37	44	FL	11.2
45	AK	34*	45	AZ	10.2
46	ID	34	46	NE	9.8
47	MT	25	47	CO	8.7
48	WY	24	48	IA	8.6
49	ND	20	49	NC	8.1
50	UT	14	50	UT	2.6

\*Includes estimated or, for New York, reallocated data.

period and minimized the extent of missing—as compared with New York’s 2 years of reallocated—data for the updated period; and 3) we did not include D.C., which is in a leading position (Ahearn, 2002) but has, for the two aforementioned reasons, singular status. On the other hand, these overall results show that the upward trend in published hearing/review officer decisions (Zirkel & D’Angelo, 2002) is not representative of the population of hearing officer decisions. The inclusion of second tier, review officer decisions in the published sample does not account for the difference because there has been a marked reduction in the number of states with a review officer tier under the IDEA (Ahearn, 2002).

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Given that the purpose of this study was to provide useful objective data for policy analysis and policy making by others, we limit our interpretation largely to observations about the legal framework. Presumably, the period from 1975, when Congress first enacted what is now called the IDEA, until 1991, when the first national data are available, marked the first stage of the dramatic growth of due process hearings. The 1986 amendments, which provided for attorney’s fees for prevailing parents, fueled this first growth period. The more recent period of 1997 to 2005 represents a relatively high, albeit uneven, plateau. The 1997 IDEA amendments, which established and encouraged the option of mediation, may have contributed to this leveled, albeit not reversed, direction. In any event, this new, ascended level represents considerable costs in terms of not only the fees of attorneys and the expenses of the dispute resolution system but also the time and tribulation of school personnel and parents (Lanigan, Audette, Dreier, & Kobersy, 2001), who are engaging in the first step of an adversarial dispute resolution system that the Supreme Court correctly characterized as “ponderous” (*Honig v. Doe*, 1988, p. 322). A recent empirical analysis suggested that the hearing-level stage has gradually become overlegalized (Zirkel, Karanxha & D’Angelo, 2007).

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...Nebraska, South Dakota, Alaska, Idaho, Montana, Wyoming, North Dakota, and Utah—each account for less than 40 adjudicated hearings for the 15-year period, together amounting to less than 1% of the 37069 adjudicated hearings.

This approximate plateau also serves as a baseline for the pertinent new IDEA provisions, which went into effect approximately at the end of the 15-year period. Specifically, the effective date of IDEA 2004 was July 1, 2005, and there was a further lag or at least transition until the October 12, 2006 effective date of the IDEA's regulations. The primary pertinent provisions in IDEA 2004, reinforced and further elaborated in the 2006 regulations, consist of the new prehearing requirement of a resolution session (§ 1415(f)(1)(B)), along with more specific prehearing notice pleading (§ 1415(c)(2)), a prefiling opportunity for mediation (§ 1415(e)(1)), and a 2-year statute of limitations (§ 1415(a)(6)(B)). In particular, initial results in some states and localities would seem to suggest promising prospects in terms of effective implementation of the resolution session provision (e.g., Harley & Redmond, 2007).

The state rankings for the entire period, which mitigate the effect of estimated and reallocated data, reveal more differential findings in terms of overall as compared with per capita analysis. On an overall basis, which represents a notable total for the transaction costs of due process hearings, a relatively small group of states account for most of the activity. More specifically, without the primary but singular role of D.C., most of the adjudicated hearings are attributable to a relatively small cluster of states: New York and New Jersey account for 56% and the top eight states account for 80% of the total. The remaining 20% is shared in gradually descending order by 42 states, with the final 8 states accounting for a relatively negligible average of fewer than three hearings per year. The differences among these three approximate tiers may be attributable to not only population but also culture, including a differential propensity for litigiousness as compared with other ways for resolving individual-institutional problems, including those between parents of children with disabilities and school districts. The New York–New Jersey

metropolitan area is generally regarded as a primary example of a litigious zone. Although preliminary research found differences between high and low due process states for various cultural factors, including litigiousness (Earnest, 1999), such hypotheses remain markedly tentative, particularly because efforts at measuring this variable have been limited and imprecise.

The corresponding per capita state rankings further evidence that other factors are at play in addition to population, at least in terms of special education enrollments. The unchanged position of New York and New Jersey at the top and Utah at the bottom reinforces the possible sociocultural hypothesis in terms of proclivity for litigiousness. On the other hand, the dramatic upward changes in rank of several states, such as Hawaii, Rhode Island, New Hampshire, and Delaware, suggest other explanations, such as the possible role in small states of specialized private or public-interest parent attorneys, which D.C. separately illustrates (Blum, 2002). Yet the dramatic downward changes in the relative positions of several other states, such as California, Texas, Michigan, Florida, and Ohio, suggest a more complicated and interacting set of factors, which may also include 1) concerted efforts by state agencies to experiment with prophylactic procedures, such as mediation and prehearing resolution sessions, beyond the then applicable IDEA provisions; 2) extent of compliance with the IDEA requirements; 3) training and effectiveness of hearing officers; and 4) availability of nonattorney parent advocates and parent advocacy organizations. However, such speculation remains simply that pending systematic research is at this point almost entirely lacking. Moreover, our data collection reaffirmed Ahearn's (2002) observation on behalf of NASDSE that there is a notable lack of uniformity and reliability within and across states in the tabulation of IDEA hearing data.

Based on these analyses, our recommendations include the need for 1) more uniform state data collection, which is already the subject of notable activity (Samuels, 2007; Schrag & Schrag, 2004); 2) cross-analysis of related data, including the frequency and outcomes of hearings requested, second-tier proceedings, judicial appeals, and alternative processes, such as mediation and the administrative complaint resolution process; 3) follow-up trends analysis as a result of the new IDEA

prehearing provisions, including resolution sessions; 4) renewed research on other aspects of IDEA due process hearings, including the selection, training, characteristics, and decisions of hearing officers; and 5) more qualitative studies to provide depth and insight in relation to the quantitative analyses, including follow-up studies to Lake and Billingsley's (2000) research exploring parent-district conflict under the IDEA. The recommended research would enable more precise and systematic tracking of trends and more thorough assessment of the IDEA's dispute resolution process, so as to fine-tune it for improved effectiveness in future reauthorizations of the IDEA and in its corollary state special education laws.

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The first of these recommendations merits special attention. It is ironic that the IDEA, which imported from the NCLB the need for evidence-based programs, is, at least in its dispute resolution provisions, without a solid research basis. The furor arising in the wake of a recent *Wall Street Journal* article that reported questionable numbers concerning not only the outcomes but also the frequency of due process hearings (Golden, 2007) underlined the need for more extensive and accurate data. Upon further inquiry, representatives of some of the states reported in the article uncovered varying interpretations of adjudicated hearings due to state-by-state differences in pertinent practices, such as the inclusion or exclusion of written dismissals and settlement agreements (T. Badway, personal communication, August 14, 2007; C. Kaufman, personal communication, August 12, 2007). The Consortium for Appropriate Dispute Resolution in Special Education (CADRE), which has funding from the U.S. Department of Education, has taken significant steps toward a reliable and valid national database, but their representative has acknowledged that the verification process is time-consuming and

frustrating, particularly in terms of achieving consistent data in stable form within as well as across states (R. W. Zeller, personal communication, August 13, 2007). Moreover, he pointed out that the CADRE national totals differ from those they supplied to the *Wall Street Journal* reporter due to their subsequent, additional data-cleaning verification process. Similarly, their totals differ from those in this study because of various factors; for example, their totals include D.C., Puerto Rico, Guam, and the Bureau of Indian Affairs, and CADRE sought the number of hearings requested within each school year. Finally, their data start with the 2005–2006 school year, which is where our data concluded. Thus, the present study represents a solid step forward but only as a stimulating start for more extensive and intensive inquiry to inform further fine-tuning of the IDEA for the benefit of individual children with disabilities and the societal system that serves them.

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**Appendix: Number of due process hearings held by state**

State	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	Total
AL	10	10	19	10	11	17	24	8	14	14	14	17	21	12	11	212
AK	4	2	0	1	2	2*	2*	2*	1	1	0	3	1	1	12	34*
AZ	7	5	7	3	6	5	5	10	10	7	5	4	3	3	0	80
AR	6	2	13	13	5	14	8	6	13	11	9	11	8	5	6	130
CA	74	72	58	50	77	88	145	114	153	197	112	136	145	132	125	1,678
CO	4	3	2	5	4	7	7	2	4	6	5	5	2	1	5	62
CT	51	56	77	96	114	25	32	34	43	26	93	83	105	157	191	1,183
DE	2	4	3	2	5	1	2	4	8	7	3	3	3	8	3	58
FL	12	12	17	19	17	26	25	29	42	20	22	34	34	38	28	375
GA	10	9	24	23	15	11	17	15	9	12	11	8	12	16	18	210
HI	6	7	6	3	4	8	10	8	19	41	36*	40*	41	55	64	348*
ID	1	1	2	2	1	1	2	8	3	3	4	4	1	1	0	34
IL	130	133	105	125	87	120	58	55	49	70	62	82	63	56	57	1,252
IN	32	19	17	33	22	18	16	19	17	11	26	23	19	19	14	305
IA	6	5	5	5	6	4	2	2	3	4	3	3	4	4	1	57
KS	8	4	11	10	9	46	45	22	19	14	8	6	7	12	1	222
KY	7	8	9	13	17	12	14	10	6	13	5	8	4	19	13	158
LA	3	3	7	9	7	11	11	12	9	10	9	12	17	14	5	139
ME	22	10	23	19	8	12	33	10	18	17	14	15	9	14	12	236
MD	16	19	46	63*	69*	75*	125	127	136	125	100	117	109	90	86	1,303*
MA	95	111	89	40	32	36	50	36	27	33	30	30	27	53	35	724
MI	14	14	19	22	7	19	16	18	17	24	24	19	20	14	16	263
MN	4	0	3	11	7	17	16	9	8	16	13	15	14	14	12	159
MS	2	4	10	8	5	5	10	6	6	3	1	1	3	6	4	74
MO	5	5	7	6	10	4	23	12	12	22	25	24	17	21	28	221
MT	1	2	3	2	2	3	3	1	1	2	1	0	1	2	1	25
NE	7	3	1	2	2	4	2	4	3	4	1	0	1	1	3	38
NV	2	6	5	2	3	5	9	15	10	9	5	12	8	8	4	103
NH	20	16	15	14	11	14	10	7	9	13	5	12	25	40	18	229
NJ	170*	191*	176	266	275	256	306	344	334	309	370	336	420	437	497	4,687*
NM	0	0	1	2	2	3	4	2	5	3	20	36	30	36	4	148
NY	465	500	609	793	1136	1600	1401	1344	1234	1052	1236	1061*	1098*	1241	1294	16064
NC	2	3	2	9	4	20	43	13	2	2	5	6	6	7	2	126
ND	0	2	0	2	5	3	0	2	2	0	1	0	0	1	2	20
OH	12	12	10	9	11	11	36	17	22	34	19	26	14	15	14	262
OK	33	16	5	7	19	8	7	12	3	8	8	12	5	5	1	149
OR	5	5	7	9	5	4	5	8	8	8	5	3	2	4	2	80
PA	112	106	78	82	112	147	201	251	245	209	215	239	208	248	110	2,563
RI	6	2	4	28	43	50	40	50	34	34	5	10	9	10	10	335
SC	1	5	3	2	2	7*	8*	9*	12	14	18	9	15	11	23	139*
SD	3	6	1	6	8	1	4	3	1	2	0	1	1	0	0	37
TN	24*	19	12	22	14	39	30	26	48	45	20	19	26	29	8	381
TX	39*	42*	45*	35	33	51	80	67	71	66	72	97	72	77	55	902*
UT	1	1	0	1	1	1	1	2	3	3	0	0	0	0	0	14
VT	1	9	7	5	4	0	8	12	6	4	3	2	5	4	4	74
VA	34*	25	39	33	45	26	27	23	16	25	24	18	40	28	16	419*
WA	19	64	72	47	25	19	16	23	19	26	25	28	27	30	20	460
WV	4	5	8	11	12	13	12	3	11	6	12	5	6	4	7	119
WI	5	8	9	2	8	9	11	11	22	14	18	13	14	7	6	157
WY	2	3	1	2	3	1	3	1	2	2	2	0	1	1	0	24
Total	1499*	1569*	1692*	1984*	2332*	2879*	2965*	2828*	2769	2601	2724*	2648*	2723*	3011	2845	37069*

\*Estimation of missing data.

\*Reallocation of data between the 2 years when New York changed its record-keeping year.