

SPECIAL EDUCATION DISPUTE RESOLUTION OPTIONS

	OPTION 1: FACILITATED IEP	OPTION 2A: ALTERNATE DISPUTE RESOLUTION	OPTION 2B: INFORMAL DISPUTE RESOLUTION	OPTION 3: MEDIATION ONLY	OPTION 4: FORMAL DUE PROCESS
What is this option?	A Facilitated IEP team meeting option is one that includes a neutral facilitator. This facilitator is not a member of the IEP Team but keeps the IEP Team focused on developing the student's program and ensures that any concerns are addressed during the IEP meeting.	The Alternate Dispute Resolution option is an informal, charter-developed process that enables parent to collaborate with charter school for an early resolution of special education concerns at the charter school level.	The Informal Dispute Resolution option is an informal, charter-developed process that enables parent to collaborate with charter school for an early resolution of special education concerns at the charter school level.	The Mediation Only option is a state-level dispute resolution process where a neutral mediator, assigned by Office of Administrative Hearings, facilitates conversations between the parent and the District/charter school toward the resolution of special education concerns. No attorneys/advocates are involved.	The Formal Due Process option is a state-level dispute resolution process that may be litigated before an administrative law judge who provides a written decision. This process allows multiple opportunities for communication and may include mediation with a neutral mediator to assist in resolution prior to hearing. Attorneys may be involved.
What happens after the parent agrees or the complaint is filed?	If parent agrees verbally, in writing, or on page 10 of the IEP to request a facilitated IEP, the charter school secures a neutral facilitator for the next IEP meeting.	If parent agrees verbally, in writing, or on page 10 of the IEP to request the alternate dispute resolution process, the charter administrator works with parent to reach an early resolution.	If parent agrees to participate in the informal dispute resolution process via page 10 on the IEP, charter school submits the request to the school-based administrator tasked with responding to such requests.	The Office of Administrative Hearings sets a mediation date and will assign a neutral mediator. Charter school staff, parents, mediator and, as requested, an LAUSD administrator will participate in mediation meeting to discuss parent concerns in an effort to reach resolution.	Under IDEA and California statutes, there are multiple layers to due process proceedings that may include: <ul style="list-style-type: none"> · Early resolution session/activities · Voluntary mediation · Settlement discussions · Pre-hearing conference · Evidence gathering · Witness contacts/preparation · Hearing
What are the associated timelines?	Follow all legal timelines for convening IEP meetings.	Within 15 school days.	Within 20 school days.	Within 30 school days.	Under IDEA and California statutes, the process should be completed within 45 days. The majority of cases are continued for "good cause" and timelines are often extended.
What happens once an agreement is reached?	An agreement is documented in an IEP and/or via a written agreement and disseminated by the charter school to relevant staff.	An agreement is documented in an IEP and/or a written agreement and disseminated by the charter school to relevant staff.	An agreement is written and disseminated by Special Education administrator to relevant staff. If appropriate, conduct Implementation IEP and execute follow-up activities.	An agreement is written and disseminated by either the charter school staff and/or the LAUSD administrator and then implemented by appropriate charter school/District staff.	An agreement is written and disseminated by either the charter school staff and/or the LAUSD administrator and then implemented by appropriate charter school/District staff.
What happens if an agreement is not reached?	The offer of FAPE is documented in the student's IEP. If written consent is provided by the parent, the charter should implement the IEP or those components of the IEP for which there is consent. Parent may choose to request resolution of remaining concerns through another dispute resolution option.	The case is closed. Parent may choose to request resolution through another dispute resolution option.	The case is closed. Parent may choose to request resolution through another dispute resolution option.	The case is closed. Parent may choose to request resolution through another dispute resolution option.	A due process hearing is convened and a hearing decision is rendered by an administrative law judge. The hearing decision is binding.
What are some of the advantages to this process?	<ul style="list-style-type: none"> ✓ Facilitates student focused communication during the IEP meeting ✓ Emphasizes points of agreement ✓ Clarifies points of disagreement ✓ Provides successful resolution of concerns without the need for formal due process 	<ul style="list-style-type: none"> ✓ Quick resolutions at the school level ✓ Non-adversarial process ✓ Builds the relationship with parent ✓ Does not negate a parent's right to use any other dispute resolution option 	<ul style="list-style-type: none"> ✓ Quick resolutions at the school-level ✓ Non-adversarial process ✓ Builds the relationship with parent ✓ Does not negate a parent's right to use any other dispute resolution option 	<ul style="list-style-type: none"> ✓ Encourages collaboration ✓ Does not include attorneys ✓ Mediation is confidential ✓ Mediators are neutral 	<ul style="list-style-type: none"> ✓ Agreement can be reached at any time during the process ✓ Generally speaking, the student remains in the current educational placement
Whom do I contact for support?	Charter school should contact La Shun Washington-Ajayi for referral to COP's IEP meeting facilitator.	Charter school should contact La Shun Washington-Ajayi for referral to COP's alternate dispute resolution facilitator.	For written agreement assistance, charter school should contact La Shun Washington-Ajayi.	Charter school should contact La Shun Washington-Ajayi for guidance throughout this process.	Charter staff should contact La Shun Washington-Ajayi for guidance throughout this process.