

APRIL NEWSLETTER

OFFICE OF SPECIAL EDUCATION

April 2021

Dispute Resolution



HELPFUL RESOURCES:

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Conflict will often arise when either party feels misled or uninformed. When differing opinions cannot be settled by discussion alone, several steps can be taken to resolve conflict in an educational setting.

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"Peace is not the absence of conflict, but the ability to cope with it." -- Mahatma Gandhi



Due Process

Due Process complaints may be filed by a parent, an of-age student, the school, or the Indiana Department of Education. Due Process hearings are a formal way to resolve conflict regarding a student's evaluation, educational placement, identification, or any provision of Free and Appropriate Public Education, and can only be used with students who receive Special Education services. The case is formally presented to an impartial Independent Hearing Officer (IHO) who will then issue a written decision for the student.

Do not hesitate to reach out to the Special Education department with questions or concerns.

Informal Resolution

A dispute can often be resolved informally by scheduling a Case Conference Committee meeting to discuss concerns. When conflicts arise, it may be a good idea to reconvene at a later date after all parties have had time to process the information presented at the conference. If a disagreement is due to a revision of an IEP, a facilitated IEP (FIEP) meeting with an impartial facilitator may be requested at no cost to the parent or school.

Mediation

Mediation occurs when there is a disagreement between the school and a parent. A neutral party is assigned by the Indiana Department of Education to help settle the dispute in the best interest of the student. A mediator will be fair and impartial with both parties.

Mediation can be requested by the school or a parent, and can be requested prior to, or at the same time as a Due Process Hearing or formal complaint.

