

IDEA Special Education Resolution Meetings

**A Guide for Parents of Children & Youth
(Ages 3-21)**

This publication is part of a series about IDEA (Individuals with Disabilities Education Act) dispute resolution options. Parent guides in this series include:

IDEA Special Education Mediation
IDEA Special Education Written State Complaints
IDEA Special Education Due Process Complaints/
Hearing Requests
IDEA Special Education Resolution Meetings



Office of Special Education Programs
U.S. Department of Education

This publication describes Resolution Meetings generally for Part B of the IDEA. It is not intended to interpret, modify, or replace any procedural safeguards or requirements of federal or state law.

What Is A Resolution Meeting?

A resolution meeting is a dispute resolution process that takes place after a parent files a due process complaint. Resolution meetings offer parents and school districts the opportunity to resolve issues before a due process hearing happens.

- Participants include the parent, someone from the school district who can make decisions on behalf of the school, and individualized education program (IEP) team members who have knowledge about the facts listed in the due process complaint. A parent may also choose to bring an advocate, attorney, or other support person.
- The parent and school district decide together which members of the IEP team should attend the resolution meeting.
- Working together to resolve disputes can prevent the need for a due process hearing, which can be expensive and have a negative effect on relationships.

Some states may provide facilitators for resolution meetings when requested by the parent and school district. There is no requirement in the IDEA that facilitators be made available for resolution meetings.

If you think it would be good to have someone help with communications, you may want to suggest mediation instead of having a resolution meeting. For more information, see *IDEA Special Education Mediation*.

How Does A Resolution Meeting Happen?

- The school district must hold a resolution meeting within **15 calendar** days of receiving notice of a parent's due process complaint.
- The meeting must occur unless the parent and school district both agree in writing not to have the meeting, or agree to use the mediation process.

State regulations associated with the IDEA dispute resolution processes vary widely.

Parents and family members are encouraged to contact their state educational agency or a parent center for more information.

Benefits Of Resolution Meetings

- Resolution meetings are an important opportunity to communicate and improve the relationship between you and your child's school. They provide a chance to work together to resolve issues before a due process hearing takes place.
- The resolution meeting keeps the decision-making with you and the school. In a due process hearing, a hearing officer who does not know your child decides how to resolve the dispute.
- There will be someone at the meeting who can make decisions on behalf of the school district.

Helpful Tips To Prepare For A Resolution Meeting

- Identify the issues as you see them, outline what you feel your child needs, and bring some ideas you have for possible solutions, including practices that have been proven effective.
- Organize your documents and write dates and notes on them. Bring them to the meeting, along with any other materials that support your viewpoint.
- Practice what you want to say at the resolution meeting with a family member, friend, or advocate.
- Try to think of some questions that the school may ask and write down your possible answers.
- Think about how you plan to deal with emotions (yours and others) during the meeting.
- The meeting is more likely to result in an agreement if everyone listens carefully to one another and is respectful.

Frequently Asked Questions About Resolution Meetings

What happens at a resolution meeting?

You will be offered the chance to discuss the concerns you identified in your due process complaint, including ways to address those concerns.

Can the resolution meeting be scheduled on a day that school is not in session?

Yes. The school district must schedule the resolution meeting to occur within **15 calendar days** of receiving notice of the due process complaint, regardless of whether school is in session.

What if I can't make it to the resolution meeting at the scheduled time?

The school district must make an effort to schedule the meeting at a time when everyone involved can attend. If

you are unable to attend the meeting in person, the school district may offer you the option of participating by video conference or conference call.

What if I don't want to participate in the resolution meeting?

Unless you and the school district have agreed to not have the resolution meeting, or to use mediation, it is very important for you to participate in the resolution meeting. If you don't participate, the school district can request that the hearing officer dismiss your due process complaint and cancel the hearing.

What if the school doesn't schedule the resolution meeting?

If the school district fails to schedule the resolution meeting within the required time, you can ask the due process hearing officer to schedule the hearing. See *IDEA Special Education Due Process Complaints/Hearing Requests* for more information.

Are discussions at the resolution meeting confidential?

Not unless you and the school district agree to keep them confidential. If confidentiality is important to you and the school district, you may sign a confidentiality agreement or include it in your resolution agreement. You cannot be required to sign a confidentiality agreement in order to participate in the resolution meeting.

Can attorneys attend the resolution meeting?

The school district may only bring an attorney to the resolution meeting if the parent chooses to bring an attorney.

What if I need an interpreter?

It is important that you understand and are able to fully participate in the resolution meeting and process. Let everyone involved know that you need an interpreter. Contact your state educational agency (SEA) for more information.

How do I know that the school will follow through with the agreement?

Agreements that families and schools develop together are more likely to be followed. Written resolution agreements

that are signed by both the parent and school district can be enforced in court and, in some states, by the SEA.

What if I change my mind about the agreement after the resolution meeting?

Parents or school districts may cancel a resolution agreement within 3 business days after the agreement is signed.

What if we don't reach an agreement during the resolution meeting?

You and the school district could continue discussions after the resolution meeting, working toward resolving the dispute and reaching an agreement.

- You could ask the hearing officer for additional time to resolve the dispute.
- You could try mediation, where the mediator would help facilitate communications between you and the school.
- If you and the school do not come to an agreement within 30 calendar days of your due process complaint being filed, you may proceed to a due process hearing.

Who pays for the resolution meeting?

There is no cost to parents. Unless you hire an attorney, the only cost to you is the time it takes for you to prepare and participate.

For more information on resolving special education disputes and dispute resolution options available under the IDEA, visit the CADRE Website: directionservice.org/cadre

Important Things To Consider About Resolution Meetings

- Participating in the resolution meeting, as well as preparing for the meeting, can be difficult – emotionally and mentally. Taking time to prepare in advance of the meeting can be very beneficial, and may increase the likelihood of reaching an agreement.
- If you find it difficult to communicate with the school district, ask whether a third party facilitator could assist with the resolution meeting, or suggest trying mediation instead of the resolution meeting.
- There is no guarantee that an agreement will be reached.
- Discussions that take place during resolution meetings are not confidential unless you and the school district agree that they will be.

Sources Of Important Information

A current list of all parent centers in the nation is available through the Center for Parent Information and Resources (CPIR):
parentcenterhub.org/find-your-center
or call (973) 642-8100



The Center for Appropriate Dispute Resolution in Special Education (CADRE) is the national technical assistance center on dispute resolution:
directionservice.org/cadre
or call (541) 686-5060



Information on the Individuals with Disabilities Education Act (IDEA) is available online:
idea.ed.gov/



To Find A Parent Center In Your Area, Contact:

Region 1 Parent TA Center
NJ Statewide Parent Advocacy Network
35 Halsey St., 4th Floor
Newark, NJ 07102
Tel: (973) 642-8100 Fax: (973) 642-8080
Website: spanadvocacy.org

Region 3 Parent TA Center
Parent to Parent of Georgia
3070 Presidential Pkwy, Suite 130
Atlanta, GA 30340
Tel: (800) 229-2038 Fax: (770) 458-4091
Website: p2pga.org

Region 5 Parent TA Center
PEAK Parent Center
611 N. Weber, Suite 200
Colorado Springs, CO 80903
Tel: (800) 284-0251 Fax: (719) 931-9452
Website: region5ptac.org

Region 2 Parent TA Center
Exceptional Children's Assistance Center
907 Barra Row, Suites 102/103
Davidson, NC 28036
Tel: (704) 892-1321 Fax: (704) 892-5028
Website: ecac-parentcenter.org

Region 4 Parent TA Center
WI FACETS
600 W. Virginia St., Ste. 501
Milwaukee, WI 53204
Tel: (877) 374-0511 Fax: (414) 374-4655
Website: wifacets.org

Region 6 Parent TA Center
Matrix Parent Network & Resource Center
94 Galli Drive, Suite C
Novato, CA 94949
Tel: (415) 884-3535 Fax: (415) 884-3555
Website: matrixparents.org

Center for Parent Information and Resources (CPIR)
35 Halsey St., 4th Floor
Newark, NJ 07102
Tel: (973) 642-8100 Fax: (973) 642-8080
Website: parentcenterhub.org

Your Local Parent Center:

CADRE produced this document under U.S. Department of Education, Office of Special Education Programs Cooperative Agreement No. H326D080001. Tina Diamond, Ph.D., served as the project officer. The views expressed herein do not necessarily represent the positions or policies of the Department of Education. No official endorsement by the U.S. Department of Education of any product, commodity, service or enterprise mentioned in this publication is intended or should be inferred. This product is public domain. Authorization to reproduce it in whole or in part is granted. While permission to reprint this publication is not necessary, the citation should be: CADRE (2014). IDEA Special Education Resolution Meetings, Eugene, Oregon, CADRE. This publication also contains hyperlinks and URLs created and maintained by outside organizations and provided for the reader's convenience. The Department is not responsible for the accuracy of this information. Some of this content was previously developed with the Technical Assistance ALLIANCE for Parent Centers. Publication Date: January 2014.