



NASET's Resolving Disputes with Parents Series

IDEA Special Education Resolution Meetings: A Guide for Parents of Children & Youth (Ages 3-21)

Introduction

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. This issue of **NASET's Resolving Disputes with Parents series** was written by the Center for Appropriate Dispute Resolution in Special Education and focuses on resolution meetings. It is specifically written for parents and informs them of the basics of the resolution meeting.

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.

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.

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.

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.

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.

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.