



Office of the



State Superintendent of Education

RESOLUTION PERIOD DISPOSITION FORM

This form is designed to assist the LEA in notifying the Hearing Officer and the Student Hearing Office (SHO) regarding the outcome of the resolution meeting(s). **Failure to notify the Hearing Officer and the SHO within 3 calendar days after the termination of the resolution period may result in a finding of noncompliance by the Office of the State Superintendent of Education, Quality Assurance and Monitoring Division.**

Student and Case Information

Student Name: _____
Student Date of Birth: _____
Student ID: _____
SHO Case Number: _____

Parent Information

Parent Name: _____
Parent Address: _____
Parent Phone Number: _____

LEA Information

Name of LEA: _____
LEA Representative: _____
LEA Address: _____
LEA Representative Phone Number: _____
LEA Representative Fax: _____

Resolution Meeting Information

Date Due Process Complaint Filed: _____
Date of Resolution Meeting(s): _____

Was meeting held within 15 calendar days or, in the case of an expedited discipline hearing, within 7 days?
Yes No

If Meeting was not held within 15/7days, reason for delay (*reason does not excuse the LEA from the obligation to comply with the 15/7 day timeline*):



Resolution Outcome

I. Resolution Agreement

_____Resolution Agreement reached that satisfies all issues in the complaint. (All issues in the complaint have been resolved and an agreement has been reached to the satisfaction of the parties.) The parties agree the due process complaint should be dismissed.¹

A copy of the Resolution Agreement must be forwarded to the Hearing Officer and the SHO.

II. Partial Resolution Agreement

_____Resolution Agreement reached that satisfies one or more of the issues in the complaint, but does not satisfy all issues in the complaint. (The issues in the complaint have been partially resolved and an agreement has been reached on these issues to the satisfaction of the parties.) The parties agree that the resolved issues should be dismissed and all outstanding issues should proceed to a due process hearing.²

III. No Resolution Agreement

- A. _____No agreement was reached by the end of the 30 day resolution period and the case should proceed to a due process hearing.
- B. _____Although an agreement was not reached at the resolution meeting, the LEA and parent agree to continue to attempt to resolve the complaint prior to the end of the 30 day resolution period. The 45 day timeline will not begin until the 30 day resolution period has expired.
- C. _____Although the 30 day resolution period has not yet expired, the LEA has not resolved the issues in the complaint to the satisfaction of the parent and the LEA and parent agree no agreement is possible prior to hearing. The LEA and parent agree that the case should proceed to due process hearing.

¹ If all issues in the due process complaint were resolved to the satisfaction of the parties, provide a copy of the Resolution Agreement to the Hearing Officer, the SHO, and the Blackman/Jones Database email address below.

² If some, but not all, issues in the due process complaint were resolved to the satisfaction of the parties, provide a copy of the Resolution Agreement to the Hearing Officer, the SHO, and the Blackman/Jones Database email address below.



Office of the



State Superintendent of Education

Signatures and Affirmation

I affirm that if an offer of substantive relief was made, and one or more issues in the complaint are resolved at the resolution meeting, a legally binding agreement was executed on or before the date of this form. I further affirm that the information provided in this form is true and correct.

Signature of Parent/guardian

Date

Signature of LEA Representative

Date

Mail, fax, e-mail, or deliver this form to:
Office of the State Superintendent of Education
Student Hearing Office
810 First Street, NE 2nd floor
Washington, DC 20002
(202) 478-2956
hearing.office@dc.gov

In addition, please email this form to the Blackman Jones Database:
dueprocess@dc.gov



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-----Mandatory Notice Regarding Mediation-----

You Have a Right to Resolve Your Dispute through Mediation

If, after attempting to resolve your dispute through Resolution, you are still not satisfied with the results, the Office of the State Superintendent of Education provides a mediation process which is voluntary on the part of all participants and is in compliance with the INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA). Participating in a Due Process Hearing can be stressful, and in the end, a Hearing Officer determines the results. With Mediation, both sides have the opportunity to frame what the results will ultimately be.

Under IDEA, the Office of the State Superintendent of Education must ensure that procedures are established and implemented to allow parties to disputes involving any matter under 34 CFR Part 300, including matters arising prior to the filing of a due process complaint, to resolve disputes through a mediation process. [34 CFR 300.506(a)] [20 U.S.C. 1415(e)(1)]

By law, Mediation cannot be used to deny or delay any participant's right to a due process hearing, or to deny any other rights afforded under IDEA. Mediations are conducted by qualified and impartial mediators who are trained in effective mediation techniques. At the agreement of both parties to participate in mediation, the Office of the State Superintendent of Education will assign a mediator. The purpose of mediation is to provide a way for people who are parties to a dispute to discuss and resolve their concerns openly, without fear that what they say will be used against them.

If you are interested in mediating your dispute, OSSE will provide a fair, impartial mediator who is both qualified and knowledgeable in the laws and regulations of IDEA to mediate your concerns. This service is absolutely FREE to parents, and will be scheduled in a location and at a time that is convenient to the parties to the dispute. [34 CFR 300.506(b)(5)] [20 U.S.C. 1415(e)(2)(E)]

Your Mediation Agreement is Enforceable by Law: A written, signed mediation agreement under 34 CFR 300.506(b) is enforceable in any State court of competent jurisdiction or in a district court of the United States. [34 CFR 300.506(b)(7)] [20 U.S.C. 1415(e)(2)(F)]

Why Choose Mediation?

SPEED: In resolving or narrowing disputes through mediation, parties avoid the delay of a third party or judicially decided outcome.

ECONOMY: In resolving or narrowing areas of disputes through mediation, parties save an enormous amount of time, energy, and expense associated with hearings, protracted conflict and litigation.



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State Superintendent of Education

QUALITY OF SETTLEMENT: Studies indicate parties entering into voluntary agreements through mediation are far more likely to adhere to and fulfill commitments made in such agreements than they are with judicially imposed resolutions.

PROMOTE COOPERATIVE OUTCOMES: Through mediation, parties avoid the "win-lose" outcome that may result from a hearing because the parties work together to create a "win-win" for everyone.

YES:

Parent: I, _____, **am interested** in resolving this complaint through Mediation.

LEA Representative: I, _____, on behalf of _____ **am interested** in resolving this complaint through Mediation.

If you checked "yes", you will be contacted by a representative from the OSSE Student Hearing Office's Mediation Team.

NO:

Parent: I, _____, **am not interested** in resolving this complaint through Mediation.

LEA Representative: I, _____, on behalf of _____ **am not interested** in resolving this complaint through Mediation.

Signature of Parent/Guardian _____ Date _____

Signature of LEA Representative _____ Date _____

For more information about Mediating a Dispute, contact the OSSE Student Hearing Office at (202) 698-3819.