



Options and Resources

Rhode Island Informal and Formal
Special Education Options and
Resources for Dispute Resolution

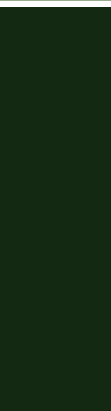
Additional Resources:

Rhode Island Department of Education (RIDE):

- Web site: www.ride.ri.gov
- Main number: 222-4600
- Legal Office: 222-8979
- Special Education Call Center: 222-8999
- Office of the Commissioner: 222-4690
- Individuals using TDD call RI Relay: 1-800-745-5555

Community Agencies:

- Parent Support Network (PSN):
467-6855 or 1-800-483-8844/www.psnri.org
- The Rhode Island Parent Information Network (RIPIN):
727-4144 or 1-800-464-3399/www.ripin.org
- Family Voices Rhode Island:
727-4144 or 1-800-464-3399/www.ripin.org/fvri.html
- Department of Human Services (Medicaid) Info Line:
462-5300/www.dhs.ri.gov
- About Families CEDARR Family Center (CFC):
365-6855, 1-877-451-1046/www.aboutfamilies.org
- Empowered Families CFC:
365-6103, 1-888-881-6380 www.empoweredfamilies.org
- Family Solutions CFC:
461-4351, 1-800-640-7283/www.solutionscedarr.org
- Families First CFC:
444-7703



This is a guide for the development of positive relationships between families and school district staff when seeking resolution of special education concerns. Families and schools share the goal that students with disabilities are provided a free and appropriate public education (FAPE) in the least restrictive environment (LRE). While

it is acknowledged that there may be differences of opinion in achieving this goal, it is important that collaborative relationships are developed between families and school staff. The following information provides both informal and formal options available to families and schools when seeking dispute resolution for special education disagreements.



Informal options to **RESOLVE ISSUES** between families & school districts:

Families and schools have informal options available to help them resolve disagreements about special education. These include:

- Direct interventions between the family and school department staff
- Assistance from Rhode Island Department of Education (RIDE) Office of Special Populations Call Center Personnel

Interventions between the family and school district staff: This is often the first approach taken to resolve disagreements which involves communication between the parents and the school staff about ways to work out a disagreement. It is recommended that families communicate with school personnel closest to the issue of concern. This could be the child's teacher, another direct service provider or an administrator. When the issue is not resolved by working with staff closest to the issue, then families should contact a staff supervisor. Supervisors include the building principal, a department head or the Director of Special Education for the district. Also, families may seek assistance from community organizations to help resolve their issues. In order for a community organization to discuss a specific student with school staff, written consent to release information must be provided by the parent to both parties.

Assistance from the RIDE Office of Special Populations Call Center: The Call Center is designed to assist families, school district personnel and the general public by providing information about special education laws and the rights and protections of children receiving special education services. Call Center staff provide callers with information and resources to assist in problem resolution, including available due process (dispute resolution) options where appropriate. In the event that the Call Center staff cannot resolve a concern, they will forward the caller to appropriate personnel within RIDE or other community agencies for resolution. The Call Center is available during normal business hours at 222-8999. Callers needing TTY/TTD may reach the Call Center through 1-800-745-5555.



Formal options to **RESOLVE ISSUES** between families & school departments:

Informal options often resolve areas of disagreement between families and schools. If informal options fail, there are formal dispute resolution options available to parents and school districts. These are described below and may be requested at any time and in any order. Identifying the issue(s) and knowing the desired outcome will usually determine the best option to pursue. All formal options may be initiated by calling the Rhode Island Department of Education (RIDE) Special Populations Call Center at 222-8999.

Mediation: Mediation is designed to resolve disagreements between parents and school departments in a cooperative manner. Both the parent and the school department must agree to mediation which allows a neutral third party, the mediator, to help them reach agreement. Mediators are appointed by RIDE, are available free of charge to both parties and are trained to listen to both sides, encouraging respectful information sharing. A written, signed agreement reached through mediation is legally binding and enforceable in any state court of competent jurisdiction or a federal district court. Mediation may be requested before or after an impartial due process hearing has been requested and can be utilized as an alternative to the resolution meeting if the parties agree to use mediation.

Impartial Due Process Hearing: An impartial due process hearing is a structured administrative procedure presided over by a trained hearing officer appointed by RIDE. The parent and the school district have the right to be represented by legal counsel. At the conclusion of the hearing, the hearing officer enters a written decision, or approves a settlement agreement entered into by the parent and the school district. Once an impartial due process hearing has been requested by a parent, the school district must make available to the parent a Resolution Meeting.

Resolution Meeting: Once an impartial due process hearing has been requested, the school district must make a Resolution Meeting available to the parent. This meeting occurs before an Impartial Due Process Hearing takes place. The Resolution Meeting is held with the parent(s), appropriate members of the Individualized Education Program (IEP) Team and a representative of the school district to discuss the issues and attempt a resolution. A written, signed agreement reached through a resolution meeting is legally binding and enforceable in any state court of competent jurisdiction or a federal district court. Both parties have the right to waive the resolution meeting and engage directly in mediation and/or an impartial due process hearing. Attorneys may participate in a resolution meeting; however, the school district may not invite their attorney unless the parent is being represented by an attorney.

Administrative Special Education 60 Day Complaint: An administrative complaint may be filed with RIDE if anyone, including a parent, individual or organization, believes a public agency or school district has violated a federal or state special education law or regulation. Complaints must be written, signed and filed with both the Office of Special Populations and the school district. It is called a 60 Day Complaint because RIDE has 60 days to investigate the complaint and issue a final decision. This finding may include corrective measures that the district needs to take if a violation has occurred.

To obtain information regarding mediation, impartial due process hearings and administrative complaints, please contact the Call Center at 222-8999 or mail a request to: RIDE/Office of Special Populations, 255 Westminster Street, Providence, RI 02903-3400.

Forms and more information about mediation, impartial due process hearings and administrative complaints are available on the RIDE web site at: www.ride.ri.gov/Special_Populations/Dispute_resolution

For more detailed information about special education rights, please refer to the "Procedural Safeguards for Special Education". Copies of this document are available from your school department and may be available on the school department's web site.