

# The Office for Dispute Resolution

*Providing services to families of children with disabilities and students considered gifted and the educational agencies that serve them*



**ConsultLine** 800-879-2301 (Toll-free in Pennsylvania) or 717-541-4960, ext. 3332

ConsultLine is a statewide toll-free help line:

- Serving families, advocates, and agencies that have questions about special education for students and young children with disabilities.
- Providing information about special education laws, parents' rights, the formal complaint process, and other dispute resolution options to address concerns so that children with disabilities and students considered gifted receive a free and appropriate public education (FAPE).

## Individualized Education Program (IEP) Facilitation (Also IFSP and GIEP Facilitation)

This is a voluntary option that is available when both districts and parents agree to have a neutral person – the IEP Facilitator – at the IEP meeting to assist in discussing concerns regarding the development of the IEP.

The IEP Facilitator:

- Is not a member of the IEP team, but assists the IEP team to resolve conflicts and disagreements that arise during the meeting.
- Helps to maintain open communication among all IEP team members, maintains impartiality, and does not write the IEP.
- Builds and improves relationships among the IEP team members, and provides opportunities to resolve conflicts as they arise.

IEP Facilitation is more cost-efficient and less stressful than due process.

## Mediation

If both parties agree to mediation, the Office for Dispute Resolution will arrange for a neutral, specially-trained mediator to meet with them at a mutually convenient location. The following guidelines apply:

- ODR provides independently contracted mediators to families and school districts.
- The mediator will meet with both parties together (and separately if necessary) to listen to both points of view, in order to understand each side's position.
- Mediation can take place at any time before or during the due process cycle.
- Mediation is not a required process and may not delay or deny a parent the right to a due process hearing.
- Neither school officials nor parents may include an attorney at the mediation session.

## Resolution Meeting Facilitation

When a parent requests due process, the school and parents must hold a Resolution Meeting within 15 days unless both sides agree to waive the meeting or try mediation instead. If both parties agree to have a neutral person at the resolution meeting, ODR will send a facilitator to assist the parties in reaching agreement.

Benefits of Resolution Meeting Facilitation:

- Builds and improves relationships between parents and schools;
- Encourages parties to identify new options to address unresolved issues;
- Could be less stressful and less expensive than a due process hearing;
- If agreement is reached, the due process hearing might not be needed.

## Due Process

- May be requested by either the parent or the local educational agency (LEA).
- May be requested with respect to matters relating to identification, evaluation, educational placement of a child, or provision of FAPE.
- The request can be made by filing a “Due Process Complaint Notice,” which can be found on the ODR website at: [www.odr-pa.org](http://www.odr-pa.org).

## Creating Agreement in Special Education Training

Creating Agreement training, for conflict resolution at the local level, is available through the Office for Dispute Resolution. The one-day training uses interactive activities involving relevant special education scenarios to help parents and educational agencies enhance their communication and problem solving skills. Training is available at no cost to school districts, intermediate units, parent groups, and educational agencies. The participants will:

- Demonstrate the use of communication and conflict management skills to promote positive outcomes.
- Learn strategies to solve disputes at the local level.
- Identify successful ways to respond to conflict.
- Identify different methods of conflict management.
- Examine a six-step process designed to respond constructively to conflict.

## Additional Information, Training, and Materials

To receive information or materials on any of these services, go to: [www.odr-pa.org](http://www.odr-pa.org).

Speakers are available for presentations on any of the services provided by ODR. To schedule a presentation, contact ODR at 800-222-3353.

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[www.odr-pa.org](http://www.odr-pa.org)