

THIS IS A SUMMARY OF SPECIAL EDUCATION CONFLICT RESOLUTION APPROACHES SPECIFIC TO ALASKA.

for HELP

Alaska Department of Education & Early Development's Special Education Handbook on the Web at www.eed.state.ak.us/tls/SPED/Handbook05/contents.html

Department of Education & Early Development's "Parent Guide to Special Education" in English, Tagalog, Spanish and Yupik on the Web at www.eed.state.ak.us/tls/SPED/Resources.html#Parents

Governor's Council on Disabilities and Special Education's "Welcome to Special Education in Alaska" on the Web at www.hss.state.ak.us/gcdse/Publications/pdf/specialed.pdf

Disability Law Center of Alaska's "Special Education & The Law" on the Web at www.dlcak.org/publications/specialeducation/index.htm

"Far North Parent-Professional Partnerships" www.alaskachd.org/partnership/content/introduction.html

Options for Resolving Special Education Conflicts

Effective Communication

The success of the student's individualized education plan is dependent upon the ability of the IEP team members to communicate effectively and develop appropriate educational services to meet the needs of the child. To increase effective communication, the team could:

- Create an open relationship with everyone involved in producing a program for the student, such as parents, teachers, administrators, paraprofessionals,

related service providers, community members, outside agencies as appropriate

- Respect other team members' perspectives



IEP team members must communicate effectively

- Ensure that every member of the team is an equal participant
- Be open to a variety of

approaches on options to meet the needs of the child

- Be prepared to communicate your desires, expectations and vision for the student at team meetings
- Be prepared to work towards a solution as a team
- Focus on the needs of the student, not the personalities or constraints of the team members

Local Solutions

It's always best to resolve problems at the local level, working collaboratively to problem-solve, and staying focused on the needs of the child. In an effort to resolve any difficulties that arise, the team could:

- Have discussions between parents and teachers to clarify expectations
- Have discussions between parents and administration-special education director/building Principal
- Request IEP meetings

whenever needed

- Require the individuals controlling funds to attend all IEP meetings



Mediation (this can take up to 10 days to arrange)

Requests for Mediation:

Alaska Special Education
Mediation Services

C/O Dave Thomas
P.O. Box 4750
Whitefish, Montana 59937

Toll free: 800-580-2209
Fax: 406-863-9229

State Complaints (this takes approximately 60 days for a decision)

To file a complaint send the required information in writing to:

Department of Education
& Early Development
Office of Special Education
Programs

PO Box 110500

Juneau, AK 99811-0500

(907) 465-2824

You can send a confidential FAX
to (907) 465-2806

Due Process Hearing (this should be concluded in 45 days but may take longer)

Send signed written request
to: Special Education Dispute
Resolution

Alaska Department of
Education & Early
Development

Teaching and Learning
Support, Special Education

PO Box 110500

Juneau, AK 99811-0500

Or FAX to (907) 465-2806

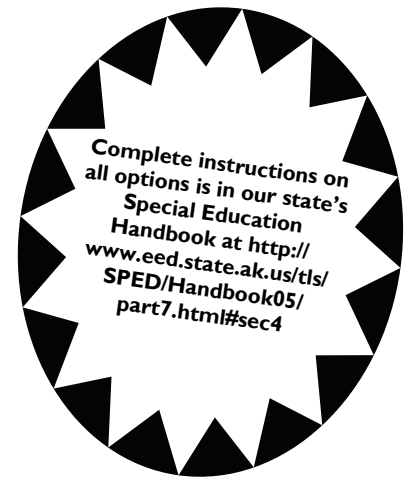
Attention: Special Education
Dispute Resolution

Mediation

Mediation is a process to help parents and schools resolve disagreements about a student's special education services. It is free and voluntary for both the parents and school. It can be used when the team is facing a significant disagreement regarding the identification, evaluation or educational placement of the child or the provision of a Free and Appropriate Public Education.

A parent, guardian, surrogate parent, or the district may make a telephone or written request for mediation.

If mediation is successful, it will result in a mediation agreement which is legally binding.



State Complaint

At any time, a team member can submit a letter describing concerns about the child's education and what has happened to resolve the concerns. A **complaint** can be filed within 1 year of the problem relating to identification, evaluation or education of the child. The State Department of Education and Early Development will

become directly involved in the situation. The complaint investigator will contact the family and the school district. They will ask questions for further information about the complaint. The Investigator submits a final report and it is given to the parents and school district. If the Investigator finds a violation has occurred the decision will include the actions required

to resolve the concern. The Department of EED will follow up and make sure the corrective action occurs. *You can file a state complaint and still use mediation.*

Due Process Hearing

A **Due Process Hearing** is a formal, administrative process in which a hearing officer resolves disagreements between parents and schools. This process will involve an exchange of records, witness testimony and requires a substantial amount of preparation. Districts are generally

represented by an attorney. It is recommended that parents seek an attorney, but it is not mandatory. The hearing officer's decision is legally binding for both parties.

Resolution Meeting

When a Due Process Hearing is initiated there must be a Resolution

Meeting unless parents and district agree not to hold the meeting or to use the mediation process. *You can go to a due process hearing and still use mediation.*