

# **Highlands School District Procedures for Dispute Resolution in Special Education**

## **1. Introduction**

This document outlines the procedures for dispute resolution within Highland School District for matters related to special education services. It is designed to ensure that conflicts and disagreements regarding the provision of special education services are resolved promptly and fairly, with a focus on the best interests of the student.

## **2. Informal Resolution Process**

- Initial Discussion: When a dispute arises, the involved parties (parents, school personnel, building principal, and relevant stakeholders) are encouraged to engage in open communication to address concerns informally.
- Informal Meeting with Student Service Director - When school teams are unable to agree the student service director can provide a structured and supportive environment for resolving disputes related to special education services. It promotes open communication, collaboration, and problem-solving, ultimately leading to the best possible outcomes for the student involved.
- IEP Facilitation: IEP facilitation is a voluntary process that can be used when all parties to an IEP meeting agree that the presence of a neutral third party would help facilitate communication and the successful drafting of the student's IEP.
- Mediation: If informal discussions do not lead to a resolution, mediation may be offered as an option. Mediation can involve the use of an impartial mediator to facilitate discussions and assist parties in reaching a mutually acceptable agreement.

## **3. Formal Resolution Process**

If informal methods fail to resolve the dispute, the following formal procedures will be followed:

- Request for a Due Process Hearing: Any party involved in the dispute may request a due process hearing by submitting the Due Process Compliant form: <http://odr-pa.org/odr-request-forms> to The Office of Dispute Resolution 800-222-3353

- . The request must include a description of the issue(s) in dispute and the relief sought. Appointment of Hearing Officer: Upon receiving a request for a due process hearing, a qualified and impartial hearing officer will be appointed to oversee the proceedings.
- Pre-Hearing Conference: A pre-hearing conference may be scheduled to clarify issues, exchange information, and explore the possibility of settlement.
- Due Process Hearing: The due process hearing will be conducted in accordance with applicable state and federal laws. Both parties will have the opportunity to present evidence, call witnesses, and be represented by legal counsel if desired.
- Issuance of Decision: Following the due process hearing, the hearing officer will issue a written decision within a reasonable timeframe. The decision will be based on the evidence presented and will include findings of fact, conclusions of law, and any remedies or relief ordered.

#### 4. Appeals Process

- Appeal to State Education Agency (SEA): Any party dissatisfied with the hearing officer's decision may appeal to the Pennsylvania Department of Education within [specify timeframe] days of receiving the decision.
- Judicial Review: Further appeal may be sought through the judicial system under applicable state and federal laws.

#### 5. Confidentiality

All discussions, meetings, documents, and records related to the dispute resolution process will be treated as confidential and shared only with individuals directly involved in the resolution process unless otherwise required by law.

#### 6. Compliance

The Highlands School District is committed to complying with all applicable laws and regulations governing special education dispute resolution.

#### 7. Conclusion

It is our sincere hope that disputes regarding special education services can be resolved amicably and collaboratively. However, in cases where formal resolution is necessary, we are dedicated to ensuring a fair and transparent process that prioritizes the needs and rights of the student.

