

ADVOCACYDENVER

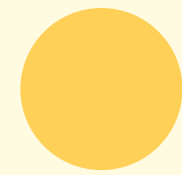
providing active voice and supporting civil rights
for people with disabilities

NAVIGATING DISPUTE RESOLUTION

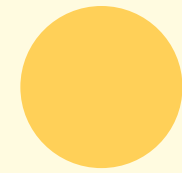
Empowering Families to Advocate Effectively

the center for
SPECIAL
EDUCATION
LAW

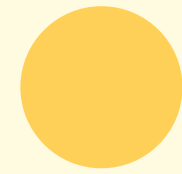
Problem Solving



Teacher and the IEP Team



Principal



Special Education Instructional
Specialist or Director

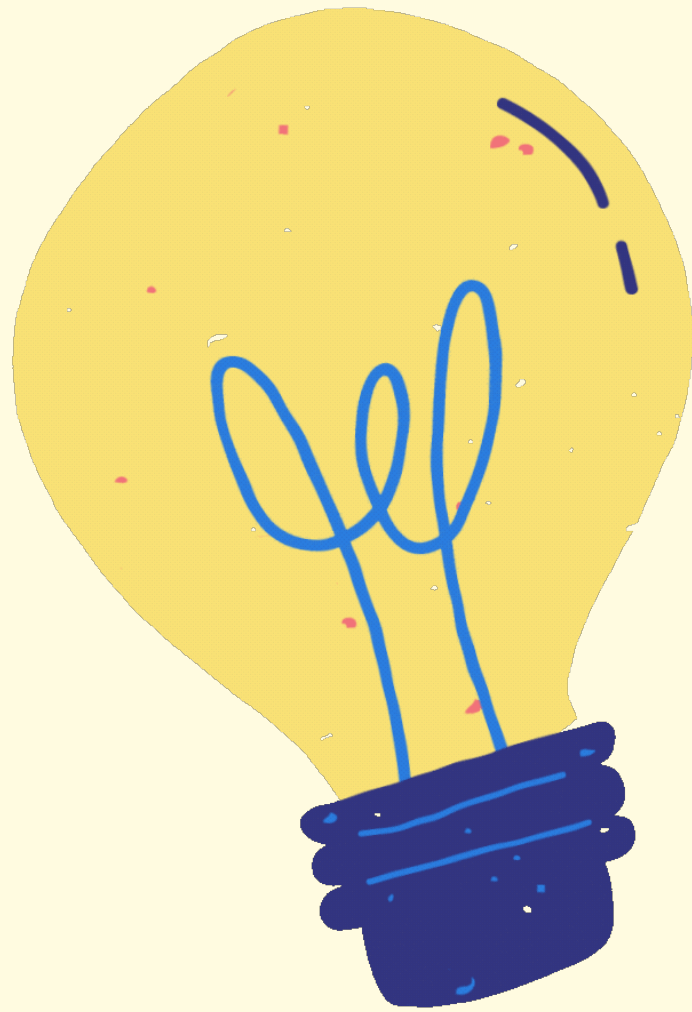


What can I do if I disagree with the school about how my child is being educated?

1 Attempt to resolve these differences with school and district staff.

2 **BUT**, if you are not satisfied, you may do any of the following:

- IEP Facilitation
- Mediation
- State Complaint
- Due Process Complaint



MEDIATION

Parents and the school have the right to request an **impartial mediator** to help reach a solution.



MEDIATION IS...

CDE Mediation Coordinator
303-866-6889

- voluntary
- conducted by a qualified, impartial mediator at no cost to the parent
- cannot be used to delay/deny your right to a due process hearing or deny any other rights afforded under special education law.
- confidential and may not be used as evidence in subsequent due process hearings or civil proceedings.



Agreements reached between the parents and school are **legally binding!**

STATE COMPLAINT PROCEDURES

You have a right to file a written complaint with the Colorado Department of Education if you feel the school district has violated special education rules/regulations or failed to implement your child's IEP. **The written complaint must: include the facts on which allegations of IDEA and ECEA violations occurred**

- The violation must have occurred no more than one year prior to the date the complaint is filed.



FILE A STATE COMPLAINT AT...

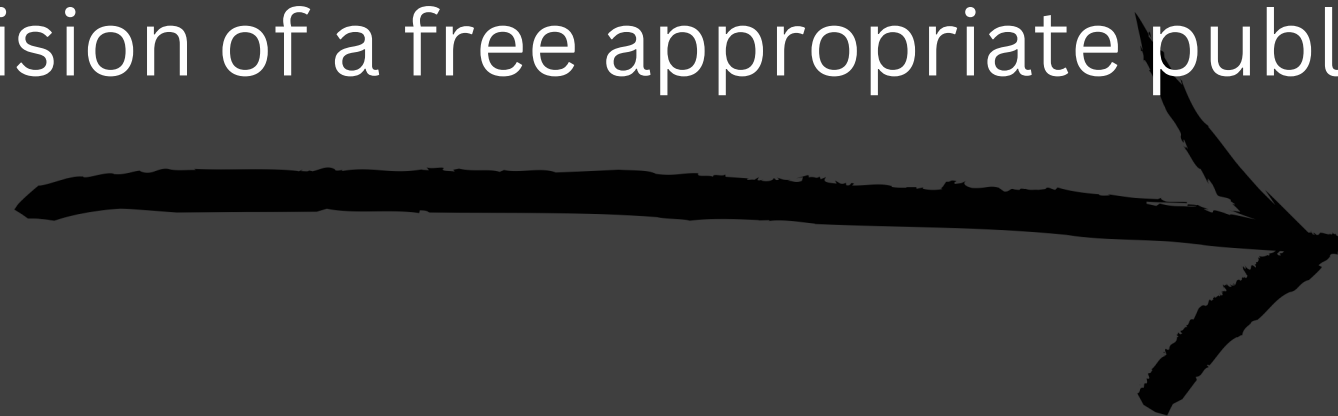
IDEA Part B State Complaints Officer
Colorado Department of Education
Exceptional Student Services Unit,
Dispute Resolution Office
201 East Colfax
Room 403

You are also required to send a copy of the complaint and all attachments to the Director of Special Education for the school district, BOCES, State Operated Program, at the same time you submit the complaint to the CDE!

DUE PROCESS COMPLAINT

You have the right to file a due process complaint regarding...

- the identification of your child suspected as having a disability
- the evaluation of your child;
- the educational placement of your child;
- the provision of a free appropriate public education





The due process complaint must allege a violation that occurred not more than two years prior to the date of the complaint.

HOWEVER, This time limit does not apply if the school district:

1. misrepresented that the problem forming the basis of the complaint was resolved or
2. misrepresented information required to be provided to the parent was withheld.

FILE A DUE PROCESS COMPLAINT TO...

IDEA Part B State Complaints Officer
Colorado Department of Education
Exceptional Student Services Unit,
Dispute Resolution Office
201 East Colfax
Room 403



Learn more at

ADVOCACYDENVER.ORG

