



## Resolving Disagreements

# Prince George's County Board of Education

The Department of Special Education would like to acknowledge and thank the Prince George's County Board of Education for their commitment to providing a great education that empowers all students and contributes to thriving communities.

*Thank  
you!*



# Participant Outcomes

- Participants will understand options that they have for resolving disagreements
- Participants will learn the difference between the options for resolving disagreements



# Ways to Resolve Disagreements

## Prince George's County Public Schools

Your IEP Team

The Family Support Center

Special Education Instructional Specialists

Compliance



## Formal Dispute Resolution Options

Mediation

State Complaint

Due Process

# The IEP Team

- Parents are members of the **Individualized Education Program (IEP)** team that assist in the decision-making process regarding their student's educational placement.
- Prince George's County Public Schools (PGCPS) shall make reasonable efforts to ensure that parents understand and are able to participate in group decisions related to the educational placement of their student.
- The district shall ensure access to an interpreter for parents who are deaf and hard of hearing, or whose native language is not English. Please contact the IEP Chairperson of your child's school to address your concerns.



# The Family Support Center (FSC)

**The Family Support Center** is available to help parents resolve concerns and answer questions that they may have regarding their child's special education program.



# Additional Levels of Support

The Department of Special Education have specialized staff who can also assist parents with resolving concerns. When needed, direct assistance may be provided by the **Special Education Instructional Specialist and/or staff from the Compliance Office who are assigned to support your child's school.**

**Staff from these offices may be available to attend IEP meetings as needed.**



# What is Mediation?

**Mediation** is a process that may be used to resolve disagreements between the parents of a child with a disability and PGCPs.

An employee of the Office of Administrative Hearings (OAH) who is qualified and trained in effective mediation techniques conducts the mediation.

Mediation is at no cost to the parent or school district. We encourage parents to participate in mediation. Contact OAH at, **(410) 229-4100** or **1-800-388-8805** or via mail at, 11101 Gilroy Road, Hunt Valley, Maryland 21031.





# Mediation

- Mediation is a voluntary process for all parties.
- It can be used at any time by the parents of a child with a disability and the public agency to resolve disagreements involving any matter under Part B of the IDEA.
- This includes matters arising prior to the filing of a due process complaint.
- Mediation may be requested by parents or the public agency.



# Mediation

If during an IEP/IFSP team meeting a parent disagrees with a child's IEP/IFSP or the special education services provided to the child, the IEP/IFSP team shall provide the parent, in plain language:

- An oral and written explanation of the parent's right to request mediation;
- Contact information, including a telephone number, that a parent may use to receive more information about the mediation process; and
- Information regarding pro bono representation and other free or low-cost legal and related services available in the area.



# Mediation

- An employee of the Office of Administrative Hearings (OAH) who is qualified and trained in effective mediation techniques will conduct the mediation.
- OAH is an impartial entity that is not part of MSDE.
- OAH has a list of qualified employees who have no personal or professional conflict of interest, are not employees of a State agency or the LEA that is involved in the education or care of the child and are selected in an impartial manner to conduct the mediation.
- A request for mediation is made to the public agency responsible for the early intervention or education of the child and the OAH. [How to file a request](#)



# What is Due Process?

A due process complaint is a **formal complaint** regarding the identification, evaluation, educational placement, or the provision of a free appropriate public education for a student with a disability or suspected of having a disability, which may result in a due process hearing.

The parent and school involved in a dispute have the opportunity for an **impartial due process hearing** when filing a due process complaint.



# Due Process

When a party files a due process complaint, the public agency responsible for the child's early intervention and education shall:

- Inform the parent of free or low cost legal and other relevant services available;
- Provide the parent with a copy of the procedural safeguards document;
- and Inform the parent of the availability of mediation.



# State Complaint

If an individual or an organization believes PGCPSS has violated a federal or state law, or regulation concerning an early intervention or special education requirement, or that PGCPSS has not implemented a Due Process hearing decision; those individuals and organizations have the right to file a **State Complaint** with the Maryland State Department of Education (MSDE). Contact MSDE at, (410) 767-0100.

To assist with filing the complaint, detailed procedures and a form are available on the MSDE website at [www.marylandpublicschools.org](http://www.marylandpublicschools.org), or by calling the Division's Complaint Investigation and Due Process Branch at 410-767-7770.



# What is a State Complaint?

A State Complaint is a written, signed letter directed to the Maryland State Department of Education (MSDE), Division of Early Intervention and Special Education Services, which **alleges that a public agency responsible for the education of a student with disabilities violated a requirement of the Individuals with Disabilities Education Act (IDEA) and accompanying State and federal regulations.**

The complaint may be filed on behalf of an individual student or a group of students that were affected by the alleged violation.



## A Comparison of Formal Dispute Resolution Options

Who Can initiate the process?

What is the time limit for filing?

What issues can be resolved?

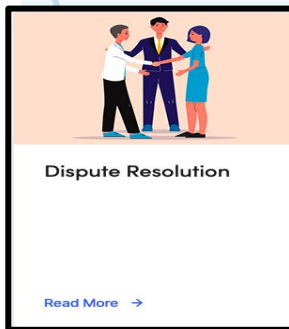
What is the timeline to resolve the issues?

Who resolves the issues?

### IDEA DISPUTE RESOLUTION PROCESSES COMPARISON CHART

Comparison	MEDIATION	DUE PROCESS COMPLAINT	RESOLUTION PROCESS	STATE COMPLAINT
Who can initiate the process?	Parent or public agency, but must be voluntary for both	Parent or public agency	Public agency schedules the resolution meeting upon receipt of a due process complaint unless the parties agree to waive or use mediation	Any individual or organization including those from out of state
What is the time limit for filing?	None Specified	2 years of when the party knew or should have known of the problem with limited exceptions <sup>1</sup>	Triggered by a parent's due process complaint	1 year from the date of the alleged violation
What issues can be resolved?	Any matter under Part 300, including matters arising prior to the filing of a due process complaint (there are exceptions) <sup>2</sup>	Any matter relating to the identification, evaluation or educational placement or provision of a free appropriate public education (there are exceptions)	Same as the issues raised in the parent's due process complaint	Alleged violations of Part B of IDEA or Part 300
What is the timeline for resolving the issues?	None specified	45 days from the end of the resolution period unless a specific extension to the timeline is granted <sup>3, 4</sup>	Public agency must convene a resolution meeting within 15 days of receipt of the parent's due process complaint, unless the parties agree in writing to waive the meeting or agree to use mediation  Resolution period is 30 days from receipt of the parent's due process complaint unless the parties agree otherwise or the parent or public agency fails to participate in the resolution meeting or the public agency fails to convene the resolution meeting within 15 days of receipt of the parent's due process complaint <sup>5, 6, 7</sup>	60 days from receipt of the complaint unless an extension is permitted <sup>8</sup>
Who resolves the issues?	Parent and public agency with a mediator  The process is voluntary and both parties must agree to any resolution	Hearing Officer/ Administrative Law Judge (ALJ)	Parent and public agency  Both parties must agree to any resolution	Maryland State Department of Education <sup>9</sup>

For Information and Forms, Click The Card Below





# Maryland Procedural Safeguards

## Maryland Procedural Safeguards

## Maryland Parental Rights Guide - **NEW!!!** Resolving Disagreements Flyer

### **Parental Rights** **MARYLAND PROCEDURAL** **SAFEGUARDS NOTICE**

*Infants and Toddlers Early Intervention  
Preschool Special Education  
and  
Special Education*



**REVISED July 2021**



# Contact Us:

## Contact

### **The Family Support Center**

1400 Nalley Terrace, Room 3  
Landover, Maryland 20785

**Phone:** (301) 431-5675

### **Email:**

JHFLC.Familysupport@pgcps.org

Complete this form if you would like us to contact you.

[Caregiver Contact Request Form](#)

