



# Bureau of Special Education

## Back-to-School Meeting

Connecticut State Department of Education | September 12, 2018

### Special Education Dispute Resolution

The IDEA requires that procedures be made available, free of charge, to resolve special education disputes between school districts and families. The following dispute resolution forums are managed by the Due Process Unit of the Bureau of Special Education (BSE).

**State Complaints:** Any individual or organization may submit a complaint to the Connecticut State Department of Education that claims that a school district has failed to comply with a requirement of the Individuals with Disabilities Education Act (IDEA, the federal special education law) or with a requirement of the Connecticut laws regarding special education. The complaint procedures are available to resolve disagreements over any matter concerning the identification, evaluation or the educational placement of a student or the provision of a free and appropriate public education to such student. In addition, a complaint may be filed that alleges that a school district has failed to implement a special education due process decision will be reviewed and resolved through this complaint process. The BSE will investigate the complaint through requests for documentation, and telephone or in-person communications and issue a report with findings and conclusions. If a violation of a special education requirement is found, required corrective action(s) may be issued to the school district. A description of the complaint resolution process can be found on the [CSDE website](#), under [BSE Legal Due Process Resources](#).

**Mediation:** Mediation is a voluntary process available to families and school districts to resolve any disputes regarding the identification, evaluation, educational placement or the provision of a free, appropriate public education to a student who is, or may be eligible to receive special education and related services. Either party may request a mediation although both parties must agree to participate in mediation. Upon receipt of a request for mediation, the Due Process Unit assigns, on a rotational basis, an impartial mediator to work with the parties to develop an agreement that addresses and resolves the dispute between the parties. Mediations are usually held at the office of the school district and are generally completed within one day. A list of the mediators with their biographies may be found on the CSDE website, under BSE Legal Due Process Resources, [List of Mediators](#).

**Due Process Hearings:** Parents may request a due process hearing to resolve any disputes regarding the identification, evaluation, educational placement or the provision of a free, appropriate public education to a student who is, or may be eligible to receive special education and related services. Due Process hearings are formal, administrative proceedings in which both parties have the opportunity to present evidence, and examine and cross-examine witnesses under oath. Hearings are recorded by an independent court reporting service and transcripts of the hearings may be obtained. Upon receipt of a request for hearing, the Due Process Unit assigns an impartial, contracted hearing officer, on a rotational basis, to hear the case, make findings of fact and conclusions of law and issue a final decision and order; final decisions are appealable to State or Federal Court. A list of the new Hearing Officers with their biographies may be found on the CSDE website, under BSE Legal Due Process Resources, [List of Hearing Officers](#).

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