

Dispute Resolution Process

What if Things Aren't Right? Can I Do Anything About It?

Let's face it...even in the best of circumstances, sometimes things don't go as they should...or as *you* think they should.

CADRE Continuum of Dispute Resolution Processes & Practices																		
Stages of Conflict	Stage I			Stage II			Stage III			Stage IV			Stage V					
Levels of Intervention	Prevention			Disagreement			Conflict			Procedural Safeguards			Legal Review					
Assistance/ Intervention Options	Parent Engagement	Participant & Stakeholder Training	Stakeholder Council	Collaborative Rule Making	Parent to Parent Assistance	Case Manager	Telephone Intermediary	Facilitation	Mediation Models	Ombudsperson	Third-Party Opinion/Consultation	Resolution Meeting	Mediation under IDEA	Written State Complaints	Due Process Hearing	Hearing Appeal (Two-Tier Systems)	Litigation	Legislation
Dimensions that help clarify placement of the options along the Continuum	Third-Party Assistance						Third-Party Intervention											
	Decision Making by Parties						Decision Making by Third-Party											
	Interest-Based						Rights-Based											
	Informal & Flexible						Formal & Fixed											

Local Solutions:

Many parent concerns can and should be handled at the local level. It is in everyone's best interest to make every attempt at solve problems there first. Start with the person directly responsible and move up your school district's chain of command. You may have to ask how chain of command works; ask a teacher, your school's principal or someone in the Administration Office (See also [What to Know, Who To Call](#)). You can also contact your local [Education Service Center](#). Parents can also contact TEA's [Special Education Information Center](#) toll-free at 1-855-SPEDTEX (1-855-773-3839). SPEDTex representatives are trained to answer your questions about parent rights ([procedural safeguards](#)) and [special education rules and regulations](#).

[Region 20 – Progress in the General Curriculum](#) has two documents that may assist in answering some of your questions before proceeding with various dispute resolution options:

- [Standards Based IEP Goal Development](#) Question & Answer (There is also a free online training)
- [Least Restrictive Environment Question and Answer](#)

Requesting a Facilitated IEP/ARD meeting may also be an option at the district level. For more information on facilitation or training opportunities, contact your local [Education service center](#).

Bottom line: when you resolve your complaints or disagreements at the local level, everyone wins, most importantly your child. Parents should always try one more ARD/IEP meeting to attempt to resolve any disagreements before moving on to other dispute resolution options.

State Level Dispute Resolution:

Let's say you've done all you can at the local level. There are four options available to address conflict through the Texas Education Agency (TEA). Those options are:

1. Within 5 days of your initial disagreement and before the reconvene meeting, Request a State Facilitated IEP from the Texas Education Agency. For more information, [click here](#).
2. File a complaint with the Texas Education Agency. For more information on filing a complaint, [click here](#).
3. Request Mediation, a process that allows parents and school districts to work out disagreements without litigation (without involving a court of law). For more information on Mediation, [click here](#).
4. Request a Due Process Hearing, a (involving a hearing officer and lawyers, much like a trial at a courthouse) for more information on Due Process Hearings, [click here](#).
 - a. Resolution Session, a last-ditch effort to resolve the complaint before actually going to a Due Process Hearing. The Resolution Session is a new addition to the IDEA 2004. For more information on the Resolution Session, [click here](#).

Additional Resources:

TEA [Dispute Resolution Systems Handbook](#) and [Dispute Resolution Processes](#)

TEA [Individualized Education Program Facilitation Region 13 – Facilitated IEP’s](#)

[National Center on Dispute Resolution in the Special Education Process](#) (CADRE) – This site has many videos for families to explain effective family school partnerships & resolving disputes.

Other Types of Disputes:

[Office for Civil Rights](#) - Another option is to file a complaint of discrimination with the Office For Civil Rights (OCR). This kind of complaint is not specific to special education, but your issue *could* fall under the guidelines of discrimination. For more information on the OCR complaints process, [click here](#).

[Family Policy Compliance Office \(FERPA & PPRA\)](#) – If your issue involves a possible violation of access to, amendment to, or disclosure of your child’s educational records OR the participation of your minor child in a US Dept of Ed. survey, you may be referred to the Family Policy Compliance office.

[Texas Dept. of Family and Protective Services \(DFPS\)](#) – If you suspect a child, an elderly person, or a person with a disability has been subject to abuse or neglect, you are required to report it to the Texas Dept. of Family and Protective Services within 48 hours of suspected abuse.

[Office Of General Inquiries](#) – If you suspect a violation of ethics or other misconduct has arisen with an educator, this may be the place to [file a complaint](#).

[Complaints addressed by other agencies](#) – health standards, criminal conduct, fraud, waste & abuse, open meetings, sports programs, etc.