

Resolution Meeting Facilitation

PROCEDURES/FACT SHEET

Resolution Meetings are mandated by IDEA 2004 for due process requests initiated by parents. After a parent files a due process complaint, the first 30 days are considered the Resolution Period. A Resolution Meeting is to be held within the first 15 days of this period unless both parties waive participation or agree to use mediation to try to resolve the issues involved in the complaint. If a resolution to the dispute is reached at the Resolution Meeting, the IDEA states that the parties must execute a written settlement agreement. This agreement is legally binding and will be signed by the parent and the LEA representative who has the authority to do so.

Resolution Meeting (RM) Facilitation is an alternate dispute resolution service offered by the Office for Dispute Resolution (ODR). As in mediation, the presence of a neutral skilled facilitator at the resolution meeting may result in a more effective and successful meeting. If the parent and school agree to use the assistance of a RM facilitator, ODR will provide this service at no cost to either party.

Procedures for Resolution Meeting Facilitation

- Upon receipt of a parent's due process complaint, ODR will provide information about the option of requesting RM Facilitation. This information will be included in the initial correspondence sent to the parties.
- If either the LEA or parent requests a RM Facilitation, ODR will contact the other party to confirm they are in agreement to use this service.
- The LEA and parent are responsible for scheduling the Resolution Meeting. Once ODR is notified of the date, time, and location of the Resolution Meeting, a RM facilitator will be assigned.
- There will be no cost to LEAs or parents for the use of a RM facilitator.
- At the Resolution Meeting, the facilitator will ask the parties to sign a form indicating their agreement to the facilitator's presence and assistance.
- If the Resolution Meeting is successful, the requesting party will notify the Hearing Officer. If it is not successful, the due process hearing will move forward.

- All parties will be asked to complete and return an evaluation form regarding their experience with RM Facilitation.

Role of the Facilitator

The Facilitator:

- Helps the parties focus on the student's needs.
- With the agreement of all parties, the facilitator may help create an overall agenda and assist in generating ground rules for the meeting.
- Assists the parties to resolve conflicts and disagreements that arise during the meeting.
- Helps to maintain open communication among all parties.
- Models effective communication and listening.
- Helps to keep parties on task and within the time allotted for the meeting.
- Maintains impartiality and does not take sides, place blame or determine if a particular decision is right or wrong.
- Clarifies points of agreement and disagreement.
- Ensures that the meeting is student-focused.
- Does not impose a decision on the group.
- Is not a party to the agreement and will not serve as a witness in any subsequent actions.

Benefits of Resolution Meeting Facilitation

A Facilitation:

- Encourages parents and professionals to communicate effectively about the issues involved in the complaint and to identify options to address unresolved problems.
- Is typically less stressful than a due process hearing.
- Supports all parties in participating fully.
- Provides an opportunity to resolve issues which could negate the need to move forward with a due process hearing.