

How are districts engaged in disputes with parents of students with disabilities?

From its inception, the Education for All Handicapped Children Act of 1975 envisioned a key role for parents in planning their children's education. Critical provisions of the law were the procedural safeguards given to parents to dispute decisions educators made on such issues as identification and eligibility determination of students for special education and related services, education programs, educational placement, or discipline. These dispute resolution procedures included mediations, due process hearings, state administrative reviews, and state and federal court reviews.

Below we report on district use of dispute resolution procedures and the relationship of such use to the demographics of districts.

Overall, use of any form of formal dispute resolution procedure was rare.

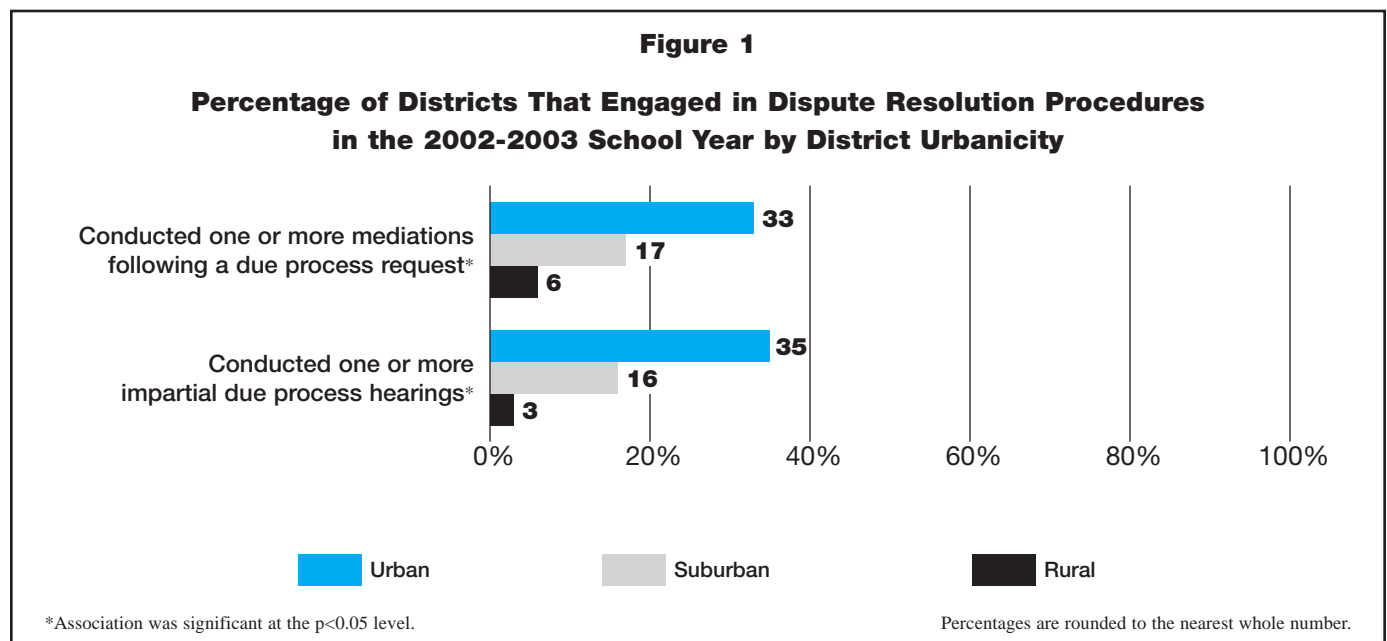
For instance, our study found that:

- Only 12 percent of districts reported conducting one or more mediations following a due process request.
- Only 11 percent of districts reported conducting one or more impartial due process hearings to resolve a dispute.

Urbanicity was associated with the type of dispute resolution procedure used by districts. Urban districts were most likely to conduct at least one mediation following a due process request, or at least one or more impartial due process hearings. (See Figure 1)

For instance, our study found that:

- Urban districts were the most likely to conduct one or more mediations following a due process request, compared to suburban and rural districts (33, 17, and 6 percent, respectively).



- Urban districts were also most likely to conduct one or more impartial due process hearings, compared to suburban and rural districts (35, 16, and 3 percent, respectively).

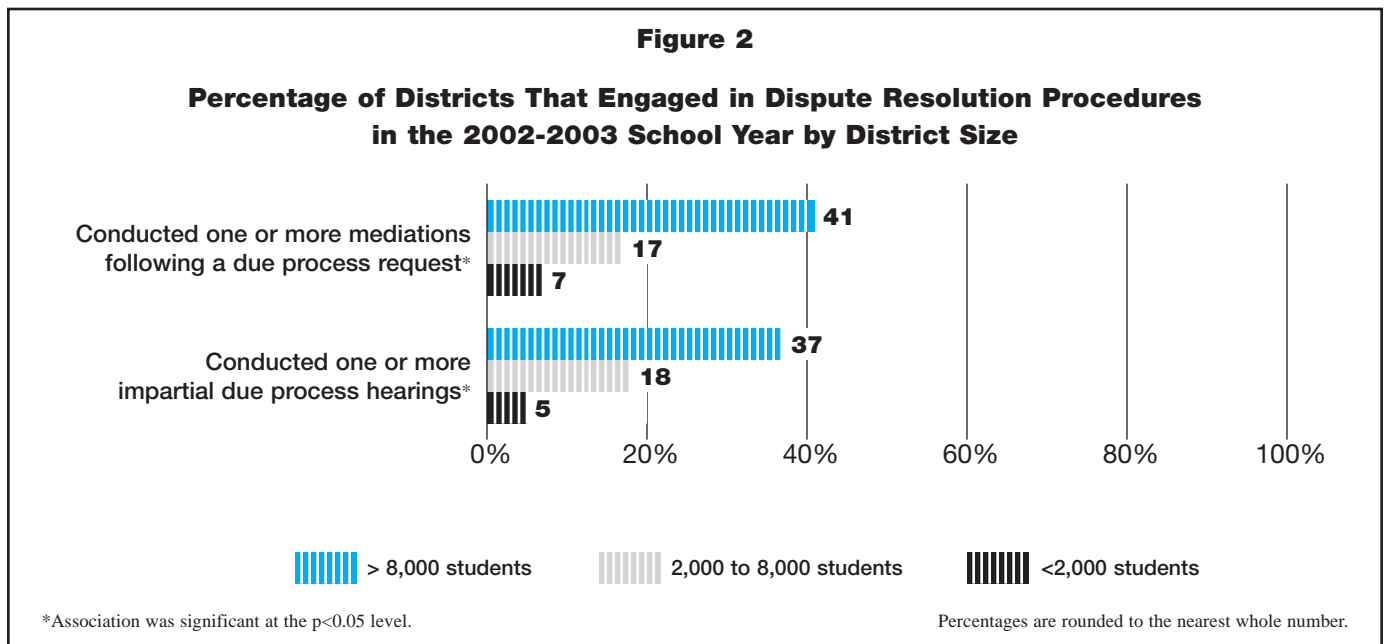
Size of the district also was associated with the use of dispute resolution procedures. Districts with more than 8,000 students enrolled were the most likely to have conducted at least one mediation following a due process request, or at least one impartial due process hearing.

(See Figure 2)

For instance, our study found that:

- When mediations and impartial due process hearings occurred, large districts were the most likely to have conducted them when compared with medium- or small-sized districts (41, 17, and 7 percent; 37, 18, and 5 percent, respectively).

No other district demographics were found to be associated with district involvement in mediations following a due process request or impartial due process hearings.



The results summarized in this fact sheet are based on the longitudinal *Study of State and Local Implementation and Impact of IDEA* supported by the Office of Special Education Programs, Office of Special Education and Rehabilitative Services, U.S. Department of Education, as part of Contract ED-00-C0-0026, conducted by Abt Associates Inc. Any points of view expressed in this fact sheet are those of the authors and do not necessarily reflect the position or policy of the U.S. Department of Education.

Surveys were mailed to key personnel responsible for or familiar with special education issues in all 50 states and the District of Columbia - a total of 959 districts and 4,434 schools. For state, district, and school surveys, response rates were 100 percent, 87 percent, and 74 percent, respectively. Mostly, respondents completed the surveys for the 2002-2003 school year. Final data collection has been completed (2004-2005 school year), and analysis and reporting of these data will occur in March 2006.

From Abt Associates Inc. (2005, March). *Final 2nd Interim Report (2002-2003 School Year), The Study of State and Local Implementation and Impact of the Individuals with Disabilities Education Act*. Study reports and data tables are available at <http://abt.sliidea.org>.