

**Florida Department of Education
Bureau of Exceptional Education and Student Services**

Report of Due Process Resolution Session

Please fax this form to the Bureau at (850) 245-0953 within 30 days of receipt of a request for a due process hearing.

Section 300.510 of Title 34 of the Code of Federal Regulations (34 CFR 300.510) requires that **within 15 days of receiving notice of the parent's due process complaint**, and prior to the initiation of a due process hearing, the school district must convene a resolution meeting with the parent to discuss the basis of the complaint and to provide the district with the opportunity to resolve the dispute. The meeting must include the relevant member or members of the IEP team who have specific knowledge of the facts identified in the due process complaint and a representative of the district who has decision-making authority on behalf of that agency. It may not include an attorney of the district unless the parent is accompanied by an attorney.

If the district has not resolved the due process complaint to the satisfaction of the parent **within 30 days** of the receipt of the due process complaint, the due process hearing may occur. The 45-day timeline for issuing a final decision begins at the expiration of this 30-day period, unless adjusted for one of the following exceptions: The 45-day timeline begins the day after one of the following events –

- Both parties agree in writing to waive the resolution meeting
- Either the mediation or resolution meeting starts but before the end of the 30-day period, if the parties agree in writing that no agreement is possible
- If both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, the parent or district withdraws from the mediation process.

Note: 34 CFR 300.532 requires an expedited due process hearing if change of placement due to a disciplinary issue or manifestation determination are at issue. In that case, the resolution meeting must be held within **seven (7) days**, with resolution required within **15 days**.

Please provide the following information.

DOAH Case #: _____

Date of initial request for a due process hearing: _____

Party filing for due process: _____

Respondent: District _____ Parent/Student _____

Participating district representative with decision-making authority: _____

Indicate all that apply.

_____ Both parties agreed to participate in the **resolution meeting**. Date held: _____

_____ Both parties agreed to participate in **mediation** in lieu of a resolution meeting. Date held: _____

_____ Once the resolution or mediation process has started, both parties agreed in writing that **no agreement is possible**. Date of decision: _____

_____ Both parties agreed in writing to **extend mediation** beyond 30 days.

_____ One or both parties **withdrew from mediation**. Date of withdrawal: _____

_____ Both parties agreed in writing to **waive the resolution meeting**. Date of waiver: _____

_____ A **written settlement agreement** was reached.

_____ The parent was represented by an attorney.

_____ The district was represented by an attorney.

_____ The settlement agreement was voided within three business days.

_____ The request for a due process hearing was withdrawn or cancelled.

_____ This was an expedited hearing due to discipline issues.

Please attach a copy of the signed settlement agreement.

Completed by: _____

Name

Title

Date