

REQUEST FOR MEDIATION and DUE PROCESS COMPLAINT

Check all that apply:

I am requesting mediation. I understand that the Office of Administrative Hearings will schedule the mediation within approximately 20 days from receipt of this request if the other party agrees to mediate.

I am filing a due process complaint. I do not want to try to resolve the dispute through mediation. I understand that the public agency is required to schedule and convene a resolution meeting within 15 days¹ of receipt of this complaint, unless the parties agree to waive the meeting.

I wish to waive the resolution meeting.

I am filing a due process complaint and requesting we try mediation to resolve the dispute.

I understand that if the other party does not want to attend mediation, the public agency will schedule a resolution meeting to be held within 15 days¹ of receipt of this complaint, unless the parties agree, in writing, to waive the session. If both parties agree to mediate, it will be scheduled within approximately 20 days of receipt of this request so as not to delay the due process hearing.

NOTE: A resolution meeting is not required if the parties agree to try to resolve the dispute through mediation or if the public agency filed the due process complaint.

STUDENT INFORMATION:

Name: _____

Birth Date: _____

Address: _____

Public Agency responsible for the student's education: _____

School the student is attending: _____

Check one, if applicable¹:

The student is not currently enrolled and attending an approved educational program OR

The dispute is over a manifestation determination, or a change in placement due to behaviors resulting in disciplinary actions.

¹ If a due process complaint is filed on behalf of a student with a disability who is not currently enrolled and attending an approved educational program, or regarding placement in an interim alternative education setting or a manifestation determination, the Office of Administrative Hearings is responsible for scheduling an expedited due process hearing upon proper notice. This hearing must occur within 20 school days of the date the complaint requesting the hearing is filed. A resolution meeting must occur within 7 days of receiving notice of the due process complaint and the due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receipt of the due process complaint.

PERSON FILING THE REQUEST:

Name: _____

Address (if different from student's): _____

Phone: (W) _____ (H) _____ (Cell) _____

Fax: _____ E-mail: _____

Relationship to student: Parent Legal Guardian Public Agency Self Parent Surrogate

ATTORNEY/REPRESENTATIVE (if applicable):

Name: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

Accommodations are required as follows (please be specific):

- Foreign Language Interpreter: _____ (specify)
- Sign Language Interpreter
- Other: _____ (specify)
- Special Communication: _____ (specify)
- Special Accommodations for Disability: _____ (specify)

In accordance with the Individuals with Disabilities Education Act (IDEA), if you are filing a due process complaint you must provide a description of the problem(s) to be reviewed at the hearing, including relevant facts and a proposed resolution to the problem(s) (attach additional paper, if necessary). If the due process complaint does not meet the content requirements identified in the IDEA, the receiving party may challenge the sufficiency of the complaint.

If you are requesting mediation, providing this information will help the mediator.

Description of the problem(s) and relevant facts:

Description of proposed resolution:

If you need additional information regarding mediation and due process hearings, please refer to the procedural safeguards document given to you by the public agency, *A Parent's Guide to Frequently Asked Questions about Mediation*, or *A Parent's Guide to Frequently Asked Questions about Due Process*. Copies of these documents may be obtained on the MSDE website at www.marylandpublicschools.org; by contacting the Office of the Director of Special Education in the local school system that is responsible for the student's education; or the Maryland State Department of Education's Division of Special Education/Early Intervention Services. You may also wish to review relevant federal and State law and regulations for further information.

You must forward a copy of this *Request for Mediation and Due Process Complaint* form to the opposing party and the Office of Administrative Hearings.

Signature of Applicant and Date

FREE OR LOW COST ASSISTANCE FOR SPECIAL EDUCATION DISPUTES

Following is a list of attorneys and advocacy organizations that may provide legal and other services to individuals in special education disputes.

Legal Aid Bureau, Inc.

229 Hanover Street
P.O. Box 943
Annapolis, MD 21404
410-263-8330
800-666-8330

500 East Lexington Street
Baltimore, MD 21202
410-951-7777
866-534-2524

5 North Main Street
Suite 200
Bel Air, MD 21014
410-879-3755
410-836-8202
800-444-9529

110 Greene Street
Cumberland, MD 21502
301-777-7474
866-389-5243

Tred Avon Square
210 Marlboro Road
Suite 3
Easton, MD 21601
410-763-9676
800-477-2543

22 South Market Street
Suite 11
Frederick, MD 21701
301-694-7414
800-679-8813

P.O. Box 249
Route 231
Hughesville, MD 20637
301-932-6661
410-535-3278

Legal Aid Bureau (con't)

6811 Kenilworth Avenue
Calvert Building, Suite 500
Riverdale, MD 20737
301-927-6800
888-215-5316

111 High Street
P.O. Box 4116
Salisbury, MD 21801
410-546-5511
800-444-4099

29 West Susquehanna Ave.
Suite 305
Towson, MD 21204
410-296-6705
www.mdlab.org

Maryland Coalition for Inclusive Education (MCIE)

7484 Candelwood Road
Suite R
Hanover, MD 21076
410-859-5400 Ext. 105
1-800-899-8837
www.mcie.org

Maryland Disability Law Center (MDLC)

1800 North Charles Street
Suite 400
Baltimore, MD 21201
410-727-6352
410-727-6387 TDD
800-233-7201
www.mdlcbalto.org

Maryland Volunteer Lawyers Service

Maureen van Stone, Esq.
Project HEAL at Kennedy Krieger
1750 E. Fairmount Ave.
Office 1062
Baltimore, MD 21231
443-923-4416
vanstone@kennedykrieger.org

Hope Tipton, Esq.
Director of Project HEAL
Johns Hopkins Children's Center
Harriet Lane Clinic
200 N. Wolf Street, Office 1118
Baltimore, MD 21287
410-502-0058
htipton2@jhmi.edu

Parents' Place of Maryland (provides parent support and training)

801 Cromwell Park Drive
Suite 103
Glen Burnie, MD 21061
410-768-9100
www.ppmmd.org

University of Maryland Clinical Law Office

500 West Baltimore Street
Baltimore, MD 21201
410-706-3295
<http://www.law.umaryland.edu>

Family Support Services **/Partners for Success**

You may wish to contact the special education office for your local school system to find out about Family Support Services, Partners for Success, or similar services that may be available to provide assistance.