



**La Academia: The Partnership Charter School  
(LAPCS)**  
*Special Education Policies and Procedures*



**- DISPUTE RESOLUTION -**

In the event parent(s)/guardian(s) have a dispute with the services provided by the LEA, the following procedures will be followed:

- The parent(s)/guardian(s) may request to have an Individualized Education Program Facilitator present at an Evaluation, Reevaluation, and/or IEP meeting to assist in discussing concerns regarding the development of the IEP.
- The parent(s)/guardian(s) may request to undergo the process of mediation by completing the Mediation Request Form found at the end of the Procedural Safeguards Notice provided at the IEP meeting.
- The parent(s)/guardian(s) may request to undergo due process by completing the Due Process Request Form found at the end of the Procedural Safeguards Notice provided at the IEP meeting.
  - The LEA will hold a resolution meeting within 15 days of the submission of the Due Process Complaint Notice unless both the parent(s)/guardian(s) and the LEA agree to waive the meeting or try mediation instead.
  - The LEA shall, on request, provide parents/guardians with an opportunity for a hearing to challenge decisions or actions made by the LEA in violation of the student's privacy or other rights. The LEA recognizes that parents/guardians who believe that there is a due process violation may also request a special education due process hearing.

In the event the LEA has undergone mediation, the following procedures will be followed to ensure mediation agreements are implemented:

- The IEP team will implement the agreed upon terms from the mediation process into the student's IEP and/or procedures of the LEA, where appropriate and inform the parent/guardian in writing .

In the event the decision to undergo a due process hearing has been made, the LEA must meet the following requirements:

1. The LEA shall hold the hearing within a reasonable time after receiving the request for a hearing.
2. The LEA shall give the parent/guardian reasonable advanced written notice of the date, time, and place of the hearing.
3. The hearing may be conducted by any individual, including an LEA official, who does not have an LEA interest in the outcome of the hearing.

4. The LEA shall give the parent/guardian a full and fair opportunity to present relevant evidence. The parent/guardian may, at his/her own expense, be assisted or represented by one (1) or more individuals of his/her choice, including an attorney.
5. The LEA shall inform parents/guardians of its decision in writing within a reasonable period of time after the hearing.
6. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

In the event the LEA has undergone due process, the following procedures will be followed to ensure due process decisions are implemented:

If, as a result of the hearing, the LEA agrees with the presence of a violation of the student's rights, the LEA shall implement the agreed upon terms accordingly and inform the parent/guardian in writing.

If, as a result of the hearing, the LEA disagrees with the presence of a violation of the student's rights, the LEA shall inform the parent/guardian of the parent's/guardian's right to place in the student's records a statement commenting on the information and/or providing any reasons for disagreeing with the LEA's decision.

Any explanation placed in the student's records shall be:

1. Maintained by the LEA as part of the student's records as long as the record or contested portion is maintained by the LEA; and
2. Included with the record or contested portion if the record or contested portion are disclosed to any party

References:

School District of Lancaster Board Policy – 113.4 Confidentiality of Special Education Student Information