# PART F: PROCEDURAL SAFEGUARDS

## Mediation

#### Mediator

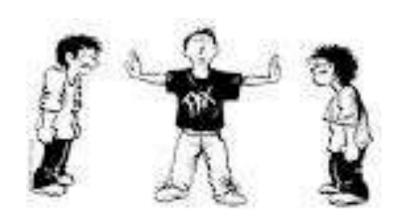
- Is sent from the state
- Mediator helps the parties reach a middle ground
- Mediator is unbiased
- Mediator does not make a final decision

#### Who can file?

- Parent
- School
- Voluntary on both sides

#### Actual Mediation

- Each side discusses their issues
- It is confidential
- Both sides can bring an attorney
- Try to reach a common ground



## **Resolution Meeting**

- Required before Due Process (if parent requested due process)
- School cannot have an attorney unless the parent has an attorney
- Must be held within 15 days that the non-requesting party received Due Process Request
- Written determination is binding
- 3 days to rescind decision

## **Due Process**

- What is due process
  - A legal proceeding
  - Involves objections, judgement, discovery, motions, etc.
  - Is binding
  - Has hearing officer
- Stay Put
- 45 day timeline
- What are your rights at the hearing?
  - Have counsel
  - Present evidence and confront, cross-examine, and compel the attendance of witnesses
  - Prohibit evidence not submitted 5 days prior to the hearing
  - Obtain a copy of the record of the hearing and the decision

## When to File Due Process?

- As a last resort
- When the parent and the school cannot come to an agreement
- Consult an attorney first
- Have a copy of records first
- Do your research!



### Resources for Parents

- Family Resource Center on Disabilities
  - www.frcd.org
  - 312-939-3513
- Equip for Equality
  - www.equipforequality.org
  - 866-KIDS-046
- Illinois Assistive Technology Program
  - http://www.iltech.org/