



Special Education Problem Solving

When you have a special education concern, question, or issue there are several options for addressing the problem. Concerns can often be taken care of informally at a classroom or school level. Avoiding more formal processes can save time and keep you involved in making decisions. Here are some options for solving special education problems:

- 1 Educate yourself on the issue.** Go to [Family Matters](#) on the Michigan Department of Education (MDE) Office of Special Education (OSE) website and look for explanations of various special education topics. Call the OSE information line at 888-320-8384 to ask questions. Find other resources to help you understand your options.
- 2 Talk to your school or district.** People at your school or district can help address your issue. Think about approaching the following people for help:
 - General education and special education teachers
 - Individualized education program (IEP) team members
 - School principal
 - District's special education director
 - District's superintendent
 - Intermediate school district (ISD) special education director
- 3 Contact the [Michigan Alliance for Families](#).** Connect with a parent mentor in your area for assistance and to find special education information.
- 4 Request mediation from [Special Education Mediation Services \(SEMS\)](#).** The *Individuals with Disabilities Education Act* (IDEA) requires states to make mediation available at no cost for special education issues.
- 5 Pursue a formal resolution option.** The IDEA requires that states provide two separate complaint options to resolve special education disputes:
 - State Complaints
 - Due Process Complaints

November 2020



Resolution Options in the IDEA

Mediation

Mediation is a collaborative process offered through [Special Education Mediation Services \(SEMS\)](#) to resolve special education concerns.

- It is free to families.
- It promotes positive communication and helps families become more informed on the education process.
- It is independent and neutral; the mediators are not employed by school districts or the Michigan Department of Education.

State Complaints

A state complaint can be filed when a parent feels their child has been denied a free appropriate public education (FAPE). The requirements, timelines, forms, and Frequently Asked Questions related to filing a state complaint can be found in the [Michigan Department of Education \(MDE\) Special Education Dispute Resolution Options](#) document.

Due Process Complaints

Due process complaints are resolved during a formal hearing with an impartial administrative law judge who is not an employee of the Office of Special Education, any school district, or any educational program. You can file a due process complaint about issues related to your child's identification, evaluation, or placement, or the provision of a FAPE to your child. You can also request an expedited due process hearing as an appeal to a decision from a manifestation determination review (MDR) after a school suspension. See [MDE Special Education Dispute Resolution Options](#), Appendix B, for a side-by-side comparison of a state complaint and due process

Resources

- Center for parent Information and Resources (CPIR):
 - » [IDEA's Regulations on the Resolution Process](#)
 - » [The Resolution Process](#)
- [Michigan Administrative Rules for Special Education \(MARSE\)](#)
- [Michigan Department of Education: Special Education Dispute Resolution Options](#)
- [Special Education Mediation Services \(SEMS\)](#)
- [U.S. Department of Education: Individuals with Disabilities Education Act \(IDEA\)](#)

