

Conciliation offers families a practical way to resolve special education disputes

Jennifer was convinced that her 10-year-old son Brian needed the services of a one-to-one paraprofessional at school. Even though the requirement had been written into his Individualized Education Program (IEP), the school was not in compliance.

When the situation went unresolved for months, Jennifer requested a conciliation conference as a means to resolve the issue.

Brian has severe autism and other disabilities. He is non-verbal, has self-injurious behaviors, and wears a helmet for his own safety. “My son has very few life skills,” says Jennifer, who was grieving the recent death of her husband while trying to secure accommodations for her son. “He needs the support of a one-to-one paraprofessional and the school kept trying to remove that from his IEP.”

Although Jennifer and Brian are pseudonyms used to protect the family’s privacy, their situation is very real. When parents of a child with a disability are unable to resolve a dispute with the school district over identification, evaluation, educational placement, or the provision of a free appropriate public education (FAPE), one available option under Minnesota



Jennifer admits she was anxious about the prospect of sitting across the table from school district personnel, but she worked closely with Anderson to prepare. “Pat was amazing,” says Jennifer, who also has an 8-year-old daughter with autism. “She helped me organize my information to present at the conference.”

law is a conciliation conference. At least one parent and a district staff person with authority to resolve the dispute (usually the special education director) must attend the conference. Other IEP team members may also be included. There is no cost to parents.

“PACER encourages families to try to resolve their differences by first sharing their concerns with their IEP case manager or the school district’s director of special education,” says PACER parent advocate Pat Anderson. “But if differences are not resolved at that level, the parent has several options including a conciliation conference.”

Once the school district receives notice of parental objection to its proposal or refusal of the district’s prior written notice, it has 10 calendar days to arrange a conciliation conference.

The meeting went well. Once the conference is complete, the district has five business days to provide the parents with a Conciliation Conference Memorandum describing its proposed actions. In Jennifer’s case, the school district agreed to provide paraprofessional support for Brian and a new IEP was developed.

“I was just trying to get my son what he needs for a free appropriate public education,” Jennifer says. “If it wasn’t for PACER, I would not have known my rights. I was so frustrated at times but Pat was my voice when I couldn’t speak.”

For more information on dispute resolution, visit PACER.org/disputeresolution or call (952) 838-9000 and ask to speak with a parent advocate.