



I Disagree with an Eligibility or IEP Team Decision. How Should I Proceed?

If you and the school division come to a place where you are in disagreement about your child's special education program and are having trouble moving beyond it, there are dispute resolution options available to you through the Virginia Department of Education (VDOE). These options include: facilitated Individualized Education Plan (IEP), special education mediation, due process, and complaints.

Facilitated IEP

[Facilitated IEP](#) uses a substantively neutral and impartial facilitator to assist with communication in the development of the IEP. The facilitator is well-versed in IEP requirements and models effective communication and listening techniques throughout the meeting.

Mediation

[Mediation](#) can assist parents and school staff when they are in negotiations. A mediator can convene and conduct a meeting to clarify issues, focus on the needs of a child, and explore and evaluate possible solutions in a confidential setting.

Due Process

[Due Process](#) uses an impartial administrative hearing process before a hearing officer to resolve disagreements over such issues as related to a child's eligibility for special education and related services, evaluation of a child with a disability, appropriateness of a child's services and/or placement, or any other matter under free appropriate public education (FAPE), including disciplinary matters.

Complaints

[Complaints](#) are generally expressions of disagreement with a procedure or process regarding special education programs, procedures, or services.

When to consider:

Immediately once a disagreement occurs and cannot be resolved at the local level

Questions to ask the school:

What are my rights regarding dispute resolution?

How can we settle this disagreement so that my child's needs and best interests are being met?

If the IEP Team cannot resolve this disagreement, what is my next course of action?

For more information:

Please refer to the VDOE's [Resolving Disputes](#) webpage.

