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OFFICE OF ADMINISTRATIVE HEARINGS
11101 GILROY ROAD, UNIT E/CLERK'S OFFICE
HUNT VALLEY, MARYLAND 21031
(410) 229-4294 FAX (410) 229-4277
www.oah.state.md.us

REQUEST FOR MEDIATION and DUE PROCESS COMPLAINT

This dispute regards:

- INFANTS & TODDLERS EARLY INTERVENTION SERVICES**
(PART C OF IDEA AND COMAR 13A.13.01.11 and .12)
- SPECIAL EDUCATION SERVICES**
(PART B of IDEA and COMAR 13A.05.01.15)

Check all that apply:

- I am requesting mediation.** I understand that the Office of Administrative Hearings will schedule the mediation within approximately 20 days from receipt of this request if the other party agrees to mediate.
- I am filing a due process complaint.** I do not want to try to resolve the dispute through mediation. I understand that the public agency is required to schedule and convene a resolution meeting within 15¹ days of receipt of this complaint, unless the parties agree to waive the meeting.
 - I am willing to waive the resolution meeting. I understand that if the public agency or local infants and toddlers program does not also agree to waive the resolution meeting, I will be required to attend a resolution meeting.

- I am filing a due process complaint and requesting we try mediation to resolve the dispute.** I understand that if the other party does not want to attend mediation, the public agency or local infants and toddlers program will schedule a resolution meeting to be held within 15 days¹ of receipt of this complaint, unless the parties agree, in writing, to waive the session. If both parties agree to mediate, it will be scheduled within approximately 20 days of receipt of this request so as not to delay the due process hearing.

NOTE: THE PARTY FILING THIS COMPLAINT MUST BE AVAILABLE TO PARTICIPATE IN A RESOLUTION MEETING WITHIN 15 DAYS OF THE DATE THE COMPLAINT IS FILED UNLESS:

- **THE RESOLUTION MEETING IS WAIVED BY BOTH PARTIES;**
- **THE PARTIES AGREE TO MEDIATION; or**
- **THE RESOLUTION MEETING IS NOT REQUIRED BECAUSE THE COMPLAINT WAS FILED BY THE PUBLIC AGENCY OR LOCAL INFANTS AND TODDLERS PROGRAM.**

¹If a due process complaint is filed on behalf of a child with a disability who is not currently receiving educational services, or regarding placement in an interim alternative education setting or a manifestation determination, the Office of Administrative Hearings is responsible for scheduling an expedited due process hearing upon proper notice. This hearing must occur within 20 school days of the date the complaint requesting the hearing is filed. A resolution meeting must occur within 7 days of receiving notice of the due process complaint unless it is waived by both parties (34 CFR §300.532 and COMAR 13A.05.01.15(C)).

CHILD'S INFORMATION:

Name: _____

Birth Date: _____

Address: _____

Public Agency or Local Infants and Toddlers Program currently providing services (if applicable): _____

Public Agency or Local Infants and Toddlers Program against which the allegations are made (if different): _____

Check one, if applicable*:

The child is not currently receiving services OR

The dispute is over a manifestation determination, or a change in placement due to behaviors resulting in disciplinary actions.

PERSON FILING THE REQUEST:

Name: _____

Address (if different from child's): _____

Phone: (W) _____ (H) _____ (Cell) _____

Fax: _____ E-mail: _____

Relationship to student: Parent Legal Guardian Public Agency Self Parent Surrogate

ATTORNEY/REPRESENTATIVE (if applicable):

Name: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

Accommodations are required as follows (please be specific):

Foreign Language Interpreter: _____ Special Communication: _____
(specify) (specify)

Sign Language Interpreter Special Accommodations for Disability: _____
(specify)

Other: _____
(specify)

Please Provide ALL of the Additional Required Information:

In accordance with the Individuals with Disabilities Education Act (IDEA), if you are filing a due process complaint you must provide a description of the problem(s) to be reviewed at the hearing, including relevant facts and a proposed resolution to the problem(s) (attach additional paper, if necessary).

If the due process complaint does not meet the content requirements identified in the IDEA, the receiving party may challenge the sufficiency of the complaint.

If you are requesting mediation, providing this information will help the mediator.

If additional space is needed to respond to the following, please attach additional paper.

Description of the problem(s) and relevant facts:

Description of proposed resolution:

If you need additional information regarding mediation and due process hearings, please refer to the procedural safeguards document provided to you by either the public agency or the local infants and toddlers program. You may wish to review *A Parent's Guide to Frequently Asked Questions about Mediation*, *A Parent's Guide to Frequently Asked Questions about Due Process*, and relevant federal and State law and regulations, which can be obtained from the MSDE website at www.marylandpublicschools.org. You may also contact the Office of the Director of Special Education in your local school system, the Infants and Toddlers Program Director of the program responsible for the child's early intervention services, or the MSDE Division of Special Education/Early Intervention Services.

You must forward a completed copy of this *Request for Mediation and Due Process Complaint* form to BOTH:

- **The opposing party (the Director of Special Education in your local school system or the Infants and Toddlers Program Director responsible for the provision of the child's services); AND**
- **The Office of Administrative Hearings.**

Signature of Applicant and Date

(Rev.1/2013)

FREE OR LOW COST ASSISTANCE FOR SPECIAL EDUCATION DISPUTES

Following is a list of attorneys and advocacy organizations that may provide legal and other services to individuals in special education disputes.

Legal Aid Bureau, Inc.

229 Hanover Street
P.O. Box 907
Annapolis, MD 21404
410-263-8330
800-666-8330

500 East Lexington Street
Baltimore, MD 21202
410-951-7777
800-999-8904

103 S. Hickory Avenue
Bel Air, MD 21014
410-879-3755
410-836-8202
800-444-9529

110 Greene Street
Cumberland, MD 21502
301-777-7474
866-389-5243

106 N. Washington Street
Suite 101
Easton, MD 21601
410-763-9676
800-477-2543

22 South Market Street
Suite 11
Frederick, MD 21701
301-694-7414
800-679-8813

P.O. Box 249
Route 231
Hughesville, MD 20637
301-932-6661
410-535-3278
877-310-1810

Legal Aid Bureau (con't)

6811 Kenilworth Avenue
Calvert Building, Suite 500
Riverdale, MD 20737
301-927-6800
888-215-5316

111 High Street
P.O. Box 4116
Salisbury, MD 21801
410-546-5511
800-444-4099

29 West Susquehanna Ave.
Suite 305
Towson, MD 21204
410-296-6705
www.mdlab.org

Maryland Disability Law Center (MDLC)

1500 Union Avenue
Suite 2000
Baltimore, MD 21211
410-727-6352
410-727-6387 TDD
800-233-7201
www.mdlcbalto.org

Kennedy Krieger Institute

Maureen van Stone, Esq., M.S.
Director, Project HEAL
716 N. Broadway, Office 106
Baltimore, MD 21205
(443) 923-4416
(443) 923-4414 (Intake line)
vanstone@kennedykrieger.org

Mallory Finn, Esq.
Staff Attorney, Project HEAL
716 N. Broadway, Office 111
Baltimore, MD 21205
(443) 923-9571
(443) 923-4414 (Intake line)
finnm@kennedykrieger.org

Parents' Place of Maryland (provides parent support and training)

801 Cromwell Park Drive
Suite 103
Glen Burnie, MD 21061
410-768-9100
www.ppmmd.org

University of Maryland Clinical Law Office

500 West Baltimore Street
Baltimore, MD 21201
410-706-3295
<http://www.law.umaryland.edu>

Family Support Services/ Partners for Success

You may wish to contact the special education office for your local school system to find out about Family Support Services, Partners for Success, or similar services that may be available to provide assistance.