

SPECIAL REVIEW
 A NEWSLETTER ABOUT SPECIAL
 EDUCATION LAW ISSUES

APRIL, 2003

Special Education Services Unit
 Colorado Department of Education

**LOOKING
 AHEAD**



**DID YOU
 KNOW?**

Did you know that one of the proposed changes to the IDEA is a provision for voluntary binding arbitration? It would be a required part of the notice and description of procedural safeguards. This would have to be provided as an option when a due process hearing is requested. It would be in lieu of a hearing and the decision of the arbitrator would be final with no appeal process.



Another proposed change is the right to be represented at a hearing by a non-attorney advocate.

**LOOKING BACK AT DISPUTE
 RESOLUTION**

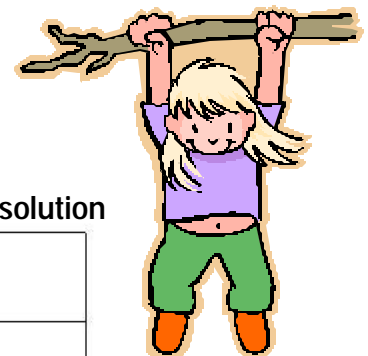
Last year, in 2002, there were 30 Federal Complaints filed—down by one from 31 in 2001.

There were 31 Due Process requests in 2002. This has remained consistently in the 30s for the past 4 years. The highest number of requests was 37 in 1997.

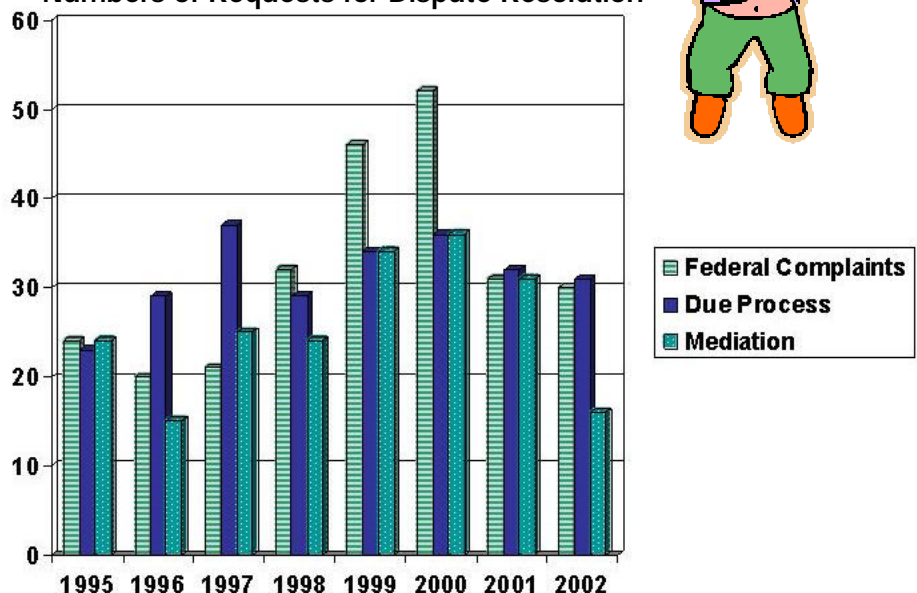
There were 16 requests for Mediation in 2002. This is a 48% decrease from the 31 requests

in 2001 . The lowest was 15 in 1996.

Below is a graph showing the range of requests for each dispute resolution process for the past eight years for Special Education in Colorado.



Numbers of Requests for Dispute Resolution



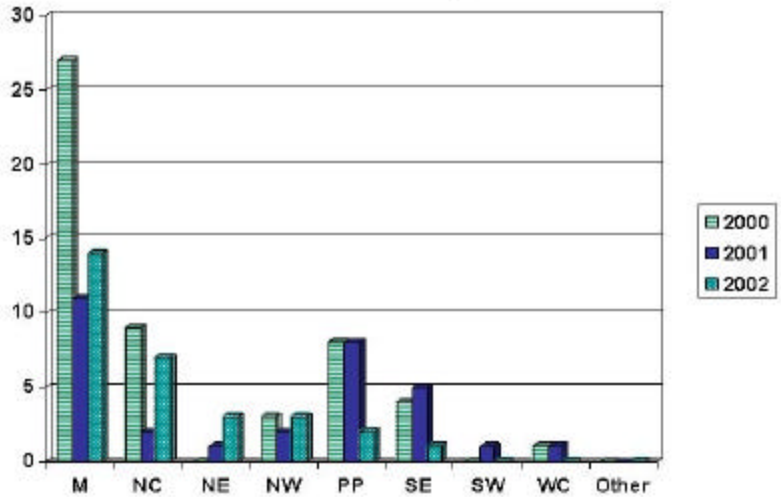
BREAKDOWN BY REGION

The graphs on this page show the number of Federal Complaints filed, the number of Due Process requests, and number of requests for Mediation by educational region for the years 2000, 2001, and 2002. (Metro, North Central, Northwest, Pikes Peak, Southeast, West Central, and Other (ie., NYC)) The results on this page do not mean that each case resulted in a decision. These numbers are only the number of requests received. For more information on issues and decisions please visit our website at: www.cde.state.co.us/spedlaw/

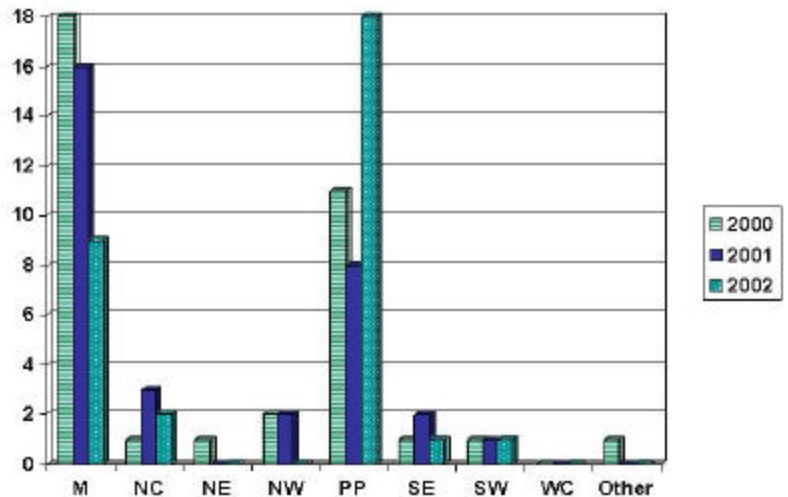
WE HAVE REVISED OUR WEBSITE!

Just in case you haven't visited our website lately—it's been revised. It's much more user friendly now and check out the new search page! This new feature allows you to search only the special education law website for specific information. For instance, you may be looking for decisions that have been issued in a particular district or school, or maybe for a specific disability, this will give you those cases. Take a look! See what you think.....

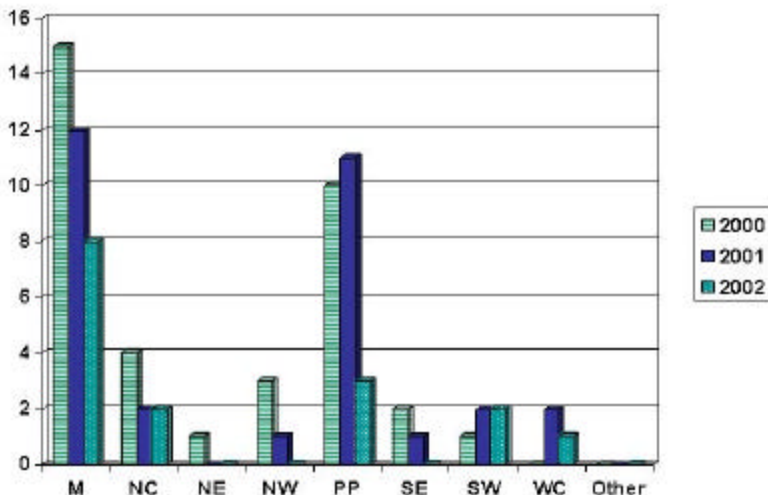
Federal Complaints



Due Process



Mediation



DECISIONS PUBLISHED IN IDELR

Federal Complaint and Due Process Decisions are now being published in the Individuals with Disabilities Education Law Report (IDELR). This is a national reporter for special education cases. Some of these cases are being summarized in the IDELR Highlights (if the editors at IDELR think they are appropriate) that are included in the updates for the reporter. All decisions issued by the Federal Complaints Officer and the Impartial Hearing Officers can be found on our website at:

<http://www.cde.state.co.us/spedlaw/dec.htm>