



Dispute Resolution under Part B of the Individuals with Disabilities Education Act (IDEA)

The Hawaii State Department of Education (Department) encourages parents and schools to work collaboratively, in the best interests of children, to resolve the disagreements that may occur when working to provide a positive educational experience for all children, including children with disabilities. The Department encourages schools and parents to work cooperatively to attempt to address their differences through informal means whenever possible. However, when those informal means prove unsuccessful, the Individuals with Disabilities Education Act (IDEA) and its implementing regulations provide specific options for resolving disputes between parents and schools, which can be used in a manner consistent with our shared goals of improving results and achieving better outcomes for children with disabilities. These options include voluntarily engaging in mediation, filing a state written complaint, or initiating an impartial due process hearing.

If there are any questions, please contact the Monitoring and Compliance Branch via email at specialcomplaints@k12.hi.us or at (808) 307-3600.

Mediation

Mediation is an impartial and voluntary process that can resolve issues quickly among disputing parties. With the assistance of an impartial, independent mediator who guides the process, parents and schools address special education concerns to resolve disagreements. Both the school and the parent must agree to participate.

The Hawaii State Department of Education makes mediation available through the Mediation Center of the Pacific (MCP). To request mediation, please:

1. Submit a Request for Mediation form: bit.ly/MCPmediationrequest, or
2. Contact MCP at 808-521-6767 or email: mcp@mediatehawaii.org.

The attached brochure, [Special Education Mediation - Resolving Conflicts Between Parents and Schools](#), provides relevant information about using mediation as the first step in working through any conflicts between parents and schools regarding any aspect of special education.

If there are any questions, please contact the Monitoring and Compliance Branch via email at specialcomplaints@k12.hi.us or at (808) 307-3600.

CADRE - The Center for Appropriate Dispute Resolution in Special Education

- [IDEA Special Education Mediation Parent Guide](#)

Special Education State Written Complaint

According to 34 CFR §300.153 and HAR §8-60-54, an organization or individual may file a signed written state complaint if the organization or individual believes the Department has violated provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and Hawaii Administrative Rules (HAR) Chapter 60. To file a state written complaint, you may use the form available below:

- [Special Education State Written Complaint Form](#)

If you would like to know more about the process and how to file a state written complaint, please refer to the cover letter below:

- [Special Education Written Complaint Cover Letter](#)

Address special education state written complaints to the Department's Complaints Management Program at:

E-mail address: specialcomplaints@k12.hi.us

Mailing Address:

Complaints Management Program
Monitoring and Compliance Branch
Office of the Deputy Superintendent
P.O. Box 2360 Honolulu, HI 96804

CADRE - The Center for Appropriate Dispute Resolution in Special Education has developed the following resource for parents and families.

- [IDEA Special Education Written State Complaints Parent Guide](#)

Contact Information:

For more information regarding special education state written complaints, please contact the Complaints Management Program, Monitoring and Compliance Branch via email at specialcomplaints@k12.hi.us or at (808) 307-3600.

Special Education Impartial Due Process Hearing

If you would like to initiate a special education impartial due process hearing request, you may use the form available below:

- [Request for a Special Education Impartial Due Process Hearing Form](#)

If you would like to know more about the process and how to initiate an impartial due process hearing request, please refer to the cover letter below:

- [Special Education Impartial Due Process Hearing Cover Letter](#)

All due process hearing requests must be submitted to:

- Complex Area Superintendent (CAS): See CAS list: <https://bit.ly/ComplexAreaDirectory>
- Complaints Management Program (CMP), Monitoring & Compliance Branch: specialcomplaints@k12.hi.us
- Office of Dispute Resolution: Atg.odr@hawaii.gov

CADRE - The Center for Appropriate Dispute Resolution in Special Education has developed the following resources for parents and families:

- [IDEA Special Education Due Process Complaints Parent Guide](#)
- [Resolution Meeting](#)
- [IDEA Special Education Expedited Due Process Complaints Parent Guide](#)

Contact Information:

If you would like more information regarding special education impartial due process hearing requests, please contact the Complaints Management Program, Monitoring and Compliance Branch via email at specialcomplaints@k12.hi.us or via phone at (808) 307-3600.

Impartial Due Process Hearing Redacted Decisions

Please see below for redacted copies of Impartial Due Process Hearing Decisions:

- [Due Process Hearings 2023-2024](#)
- [Due Process Hearings 2022-2023](#)
- [Due Process Hearings 2021-2022](#)
- [Due Process Hearings 2020-2021](#)
- [Due Process Hearings 2019-2020](#)
- [Due Process Hearings 2018-2019](#)
- [Due Process Hearings 2017-2018](#)
- [Due Process Hearings 2016-2017](#)

Archived Impartial Due Process Hearing Redacted Decisions

Impartial Due Process Hearings from 2015-16 or prior can be found using the [Report Tool Finder](#):

[Due Process Hearings Reports](#)

Related Reports

[Integrated Performance Monitoring Reports \(Felix Consent Decree\)](#)

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