



DIVISION OF SPECIAL EDUCATION
Q&A – DECEMBER 15, 2021 – CAC MEETING



Q & A FOR CAC MEETING –

QUESTIONS	ANSWERS
Questions During the Division of Special Education Report	
<p>1. What’s the actual effective date for the Section N recoupment piece?</p>	<p>“Section N: Procedural Safeguards and Follow-up Actions” IEP Page was enhanced and the requirement went into effect 11/29/21.</p>
<p>2. What is the status regarding the compensatory services with respect to the CDE complaint? Who will be offering the services, how can parents access them, and when are they anticipated to start?</p>	<p>We have prioritized this concern and as a result created an enhancement on Welligent and a process is already in place to assure the IEP team addresses the questions and concerns regarding recoupment services. Compensatory services with respect to the CDE complaint are being discussed at each IEP.</p>
<p>3. Who provides oversight of procedural processes when there is a disagreement in an IEP, so parents don't have to go through informal dispute resolution, due process, mediation, additional IEPs (where people disagree again)?</p>	<p>The Least Restrictive Environment (LRE) administrators at each Community of Schools (CoS) can assist the school site staff to resolve disputes with families before proceeding to Informal Dispute Resolution (IDR)/ Alternate Dispute Resolution (ADR).</p>
Questions During the IEP/Alternate Dispute Resolution (ADR) Presentation	
<p>1. How long does it take to get the student's educational records?</p>	<p>The LAUSD will respond to requests for student records within 5 business days. Please note that during the COVID-19 outbreak, any records requested are processed remotely. Please visit our parent web page for detailed information on how to obtain student records. In conformance with Education Code 56504, LAUSD has 5 business days to provide student records upon parental request.</p>
<p>2. Can LAUSD redact student records?</p>	<p>Student records can be redacted under certain circumstances. The process requires a careful review to ensure compliance with federal and state laws, as well as District policies. The request to redact or change a student record begins with a request made in writing to the school site.</p>

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<p>3. Do parents waive the right to a formal dispute resolution (i.e. due process) if a parent chooses ADR?</p>	<p>The ADR process seeks to resolve parental concerns quickly. However, if the ADR process does not address the concerns to the parent's satisfaction, parents retain the right to file for any other form of dispute resolution, including due process proceedings.</p>
<p>4. Can attorneys and advocates attend the ADR?</p>	<p>Yes, parents may choose to have an attorney or advocate participate with them in the ADR process.</p>
<p>5. What happens when a parent cannot read the document and there is no equipped translator?</p>	<p>The Division of Special Education provides oral interpretation training for school site staff to become equipped with skills to interpret documents orally at IEP team meetings. Parents/guardians have the right to request an interpreter at any time.</p>
<p>6. I've always been told that IDR can only be used to address a single point of disagreement. However, if there are multiple issues, the parent would either need to choose a single point to discuss resolution or proceed to due process. Is this accurate? If so, is ADR the same?</p>	<p>All dispute resolution processes, including IDR and ADR, can address single or multiple areas of concern.</p>
<p>7. What steps can be made before an IDR/ADR is needed?</p>	<p>We continue to recommend working collaboratively with the school site teams to proactively address areas of concern through the IEP process. When the IEP process is not able to sufficiently address all concerns, the IDR and ADR processes provide both the District and families with opportunities to align perspectives, strengthen their relationships, and further understand and clarify the needs of our students.</p>
<p>8. I've noticed that IEP team members at school sites seem to have certain rules in place that state that they can't offer a service until the child goes through IDR. How does that help anyone?</p>	<p>Assessment and other data pursuant to a student's progress/needs assists IEP teams in making recommendations for services and placement. The request for implementation of a new or disputed service sometimes requires gathering of new or additional information. We recommend working collaboratively with the school site team to determine if additional information is necessary and how that information will be obtained. The IEP team will then consider this additional information to determine recommended changes to the student's IEP. The gathering of necessary information does not require going through the IDR or ADR process.</p>

Click [HERE](#) to learn more about the Dispute Resolutions Options

*IDR - Informal Dispute Resolution

*ADR - Alternate Dispute Resolution