

Part B State Performance Plan (SPP) for 2005-2010

**Overview of the State Performance Plan Development:**

See Overview, Page i

*(The following items are to be completed for each monitoring priority/indicator.)*

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 19:** Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**  
Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

**Overview of Issue/Description of System or Process:**

Connecticut General Statutes Section 10-76h(f)(1)(a) provides that “the mediator shall attempt to resolve the issues in a manner which is acceptable to the parties within thirty days from the request of the mediation.”

**Baseline Data for FFY 2004 (2004-2005):**

Sixty-six percent of mediations resulted in agreements.  
35 + 64 = 99 / 150 = 66%

**Discussion of Baseline Data:**

The Department’s 2004-05 school year data shows a slight increase in the percent of mediations (66 percent) that resulted in agreements in comparison to the 2003-04 year (64 percent). The Department does not believe that tracking the number of agreements is an effective means of assessing the effectiveness of the mediation process. Fifty-one mediations did not result in agreements. Of these 51 non-agreements, only eight went on to hearing with four pending. Of the 150 mediations held, 142 did not result in an adjudicated hearing decision. In 95 percent of the cases (with four pending) a hearing was not pursued after mediation. The goal of mediation is to maximize the opportunity for the parties to reach a settlement. The effectiveness of mediation should not be rated on a percentage of written agreements.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	67%

FFY	Measurable and Rigorous Target
2006 (2006-2007)	68%
2007 (2007-2008)	69%
2008 (2008-2009)	70%
2009 (2009-2010)	71%
2010 (2010-2011)	72%

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Monitor data on mediation agreements and track future use of due process system for non-agreements on an annual basis. Measure progress using both indicators.</li> </ul>	2005-06 school year through 2011	<ul style="list-style-type: none"> <li>Office of Information Systems database development</li> </ul>
<ul style="list-style-type: none"> <li>Provide training and mentorship for new mediators.</li> </ul>	2005-06 school year through 2011	<ul style="list-style-type: none"> <li>Due Process Unit</li> </ul>
<ul style="list-style-type: none"> <li>Conduct mediator meetings and provide on-going functional supervision.</li> </ul>	2005-06 school year through 2007	<ul style="list-style-type: none"> <li>Due Process Unit</li> </ul>
<ul style="list-style-type: none"> <li>Promote the use of mediation for families through updated Parent’s Guide to Special Education in Connecticut.</li> </ul>	2005-06 school year through 2007	<ul style="list-style-type: none"> <li>CSDE Parent Workgroup</li> <li>Parent Training and Information Center (PTI) - Connecticut Parent Advocacy Center (CPAC)</li> <li>State Education Resource Center (SERC)</li> </ul>
<ul style="list-style-type: none"> <li>Develop a brochure for LEAs and families on alternatives to dispute resolution.</li> </ul>	2005-06 school year	<ul style="list-style-type: none"> <li>SERC</li> </ul>

**SPP Template – Part B (3)****CONNECTICUT**  
State

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
<ul style="list-style-type: none"><li>• Provide training and technical assistance to mediators, LEAs and families on alternatives to dispute resolution.</li></ul>	2005-06 school year through 2007	<ul style="list-style-type: none"><li>• SERC</li><li>• Consortium for Appropriate Dispute Resolution (CADRE)</li><li>• CPAC</li><li>• Quinnipiac University School of Law Mediation Program</li></ul>

**Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act  
Complaints, Mediations, Resolution Sessions, and Due Process Hearings**

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	101
(1.1) Complaints with reports issued	76
(a) Reports with findings	56
(b) Reports within timeline	63
(c) Reports within extended timelines	13
(1.2) Complaints withdrawn or dismissed	25
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

SECTION B: Mediation requests	
(2) Mediation requests total	191
(2.1) Mediations	
(a) Mediations related to due process	54
(i) Mediation agreements	35
(b) Mediations not related to due process	96
(i) Mediation agreements	64
(2.2) Mediations not held (including pending)	41

SECTION C: Hearing requests	
(3) Hearing requests total	291
(3.1) Resolution sessions	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	29
(a) Decisions within timeline	3
(b) Decisions within extended timeline	24
(3.3) Resolved without a hearing	262

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	2
(4.1) Resolution sessions	0
(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	2
(a) Change of placement ordered	0