

Kansas State Performance Plan: Indicator 15: Resolution Sessions Frequently Asked Questions

What is a resolution session?

When a parent requests a special education due process hearing, the school district and the parent are required to participate in a resolution session before the hearing unless the parent and school district agree in writing to waive the meeting or they agree to use the mediation process instead. A resolution session is a meeting, convened by the school district, between the parent(s) and the relevant member or members of the IEP Team who have specific knowledge about the facts identified in the parent's due process complaint. The purpose of the meeting is for the parent of the child to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the school district has the opportunity to resolve the dispute that is the basis for the due process complaint.

When a school district requests a due process hearing, no resolution session is required.

More information about resolution sessions can be found in the [Kansas Special Education Process Handbook](#)¹, Chapter 12, Section C.

What is a written settlement agreement?

A written settlement agreement is a legally binding written document arrived at in a resolution session, signed by the parent and a representative of the school district, specifying the resolution of the dispute that formed the basis for the parent's due process complaint. State statute sets forth the minimum information that must be included in a written resolution settlement agreement at [K.S.A. 72-3416\(a\)\(3\)](#)². The agreement is enforceable in state or federal district court.

What does Indicator 15 measure?

Indicator 15 measures the percent of resolution sessions held in a school year that were resolved through written settlement agreements. For the purposes of reporting to the U.S. Department of Education, a resolution session is counted as resolved through written settlement agreement only if a.) the agreement is reached through a resolution session and finalized within 30 days of the date the school district received the due process complaint, and b.) the agreement fully resolves all issues of the due process complaint and negates the need for a due process hearing.

¹ <https://www.ksde.org/Default.aspx?tabid=598>

² https://www.ksrevisor.org/statutes/chapters/ch72/072_034_0016.html



How is the data collected for Indicator 15?

When a school district notifies the Kansas State Department of Education (KSDE) that a parent has filed a request for a special education due process hearing, the KSDE Dispute Resolution Coordinator provides the school district with a [Resolution Session Tracking Form](#)³. A representative of the school district must complete the tracking form and send a copy of the completed form, along with a copy of any written waivers to both the KSDE Dispute Resolution Coordinator and the due process hearing officer appointed to the due process case.

Is the data reported to the U.S. Department of Education at the state level or the school district level?

States are not required to report Indicator 15 data at the school district level. Therefore, KSDE reports the percent of total resolution sessions held state-wide that were resolved through written settlement agreements. KSDE does not calculate or report this percent for individual school districts.

Where can I find the Indicator 15 data that KSDE collects and reports to the U.S. Department of Education?

The data for all Kansas State Performance Plan indicators, including data for Indicator 15, are published both on the [KSDE State Performance Plan & Annual Performance Report webpage](#)⁴ and the [U.S. Department of Education Individuals with Disabilities Education Act \(IDEA\) webpage](#)⁵.

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³ <https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/Special-Education/Legal-Special-Education-Law/Dispute-Resolution#DP>

⁴ <https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/Special-Education/KIAS/SPP-and-APR>

⁵ <https://sites.ed.gov/idea/spp-apr-letters?selected-category=sppapr-part-b&selected-year=&state=Kansas>