

HAWAII STATE

Department of Education

Mediations and State Written Complaints

School Year 2024-25 to Present Update

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Administrator, IDEA Team | Monitoring and Compliance Branch
SEAC Meeting: May 8, 2026





Comparison of Dispute Resolution Options

Feature	Mediation	State Written Complaint	Due Process Complaint
Who can file?	Parent or Public Agency (HIDOE)	Any individual or organization	Parent(s) or Public Agency (HIDOE)
What does it allege?	Any disagreement related to special education matters	A violation of IDEA requirements - systemic or individual	Identification, evaluation, placement, or FAPE
Filing Timeline	May be requested at any time	Violation occurred not more than one year prior to filing	Violation occurred not more than two years prior to filing
Resolution Timeline	No fixed timeline; typically resolved in one or more sessions	60 calendar days (unless exceptional circumstances)	30-day resolution period + 45-day hearing cycle (total 75 days)
Decision Maker	The Parties Involved (Mediator facilitates)	HIDOE/Monitoring & Compliance Branch	Impartial Hearing Officer

Note: Mediation is often the fastest and least adversarial path to resolution.



Mediation Overview

A Collaborative Conflict Resolution

Mediation is a voluntary, confidential process where a neutral third-party helps parents and schools reach a mutually acceptable agreement.

- ❖ **Neutral Ground:** Conducted via the Mediation Center of the Pacific.
- ❖ **Voluntary:** Both parties must agree to participate.
- ❖ **Binding:** Signed agreements are legally enforceable.
- ❖ **No Cost:** Service provided for free by the Department.
- ❖ [Mediation Brochure](#)

Special Education Mediation

Resolving Conflicts Between Parents and Schools



What is Special Education Mediation?

- Special Education Mediation is a voluntary and confidential dispute resolution process used to address any matter related to special education.
- A mediator is a qualified and impartial individual who helps each party to communicate their views and positions in confidence so that the dispute can be resolved in a way that is mutually agreeable.

What are the Benefits of Special Education Mediation?

- Preserves and strengthens relationships between families and school staff.
- Empowers families and school staff to resolve their disagreements.
- Maintains the confidentiality of mediation discussions.
- Legally commits the school and families to the outcomes memorialized in a mediation agreement.
- Ensures no cost to families and schools through the Mediation Center of the Pacific (MCP).

What to Expect?

Request Mediation

- A request for mediation can be through the following:
 - Form: <https://bit.ly/MediationRequestForm>
 - Phone: (808) 521-6767
 - Email: mcp@mediatehawaii.org

Receive Contact from the MCP

- A Client Service Specialist from the MCP will reach out to both parties to identify the issues, explain the mediation process, and answer questions.

Schedule Mediation

- If both parties agree to participate in mediation, a Client Service Specialist will coordinate a session at a mutually agreeable date, time, and location/platform (in-person or video conference).

Participate in Mediation

- A mediator guides the process by encouraging open dialogue, clarifying issues, promoting understanding, and working to reach a mutually acceptable agreement.

Develop Mediation Agreement

- The mediation participants create the outcome of the mediation.
- The mediator memorializes the outcomes in an agreement that is signed by all participants and then becomes legally binding on family and school.
 Note: If mediation participants do not reach an agreement, the parties may exercise their right to resolve the matter through the state written complaint or due process complaint procedure. Please refer to the Procedural Safeguards Notice for more information at <https://bit.ly/ProceduralSafeguardNotice>.



THE MEDIATION CENTER
of THE PACIFIC

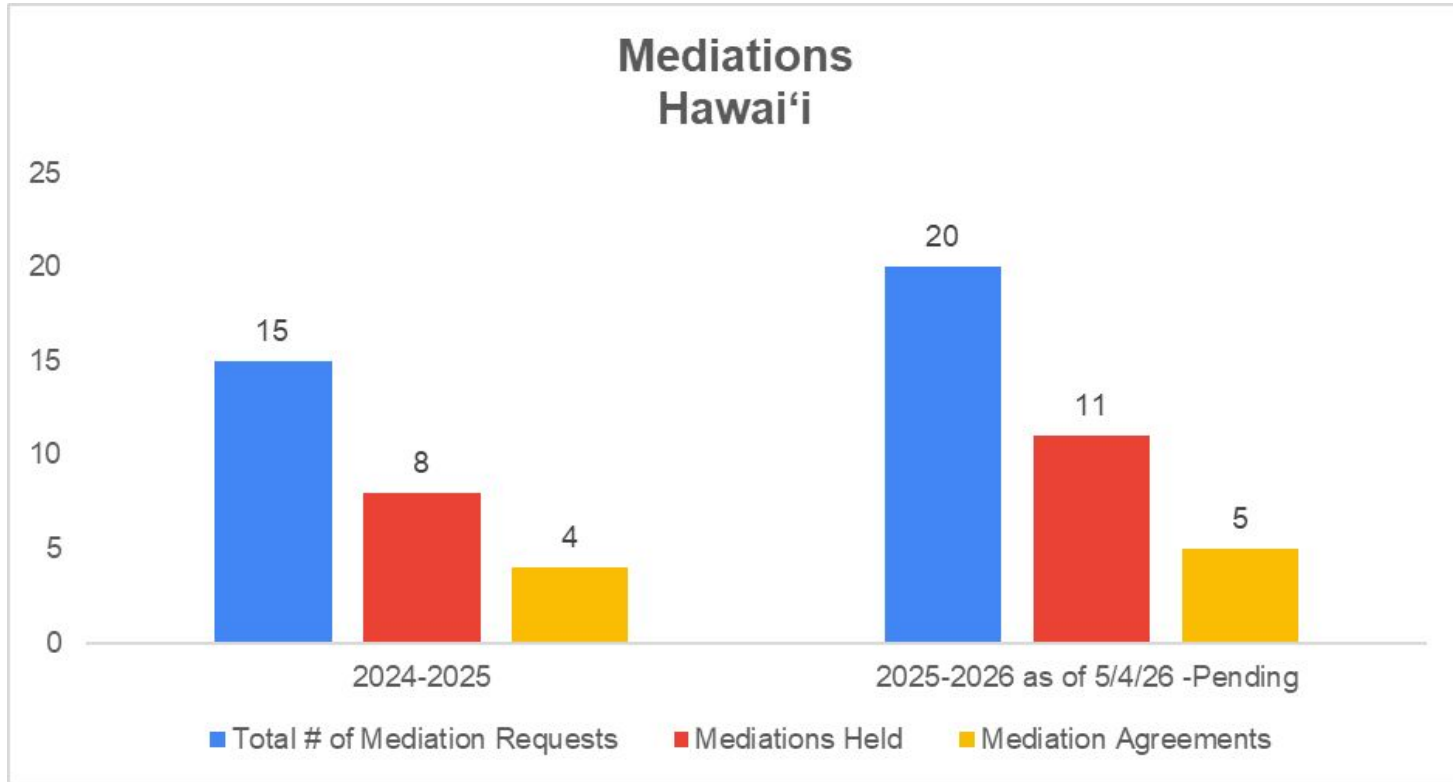
Request a no cost mediation session:
www.mediatehawaii.org/special-education
(808) 521-6767
mcp@mediatehawaii.org

You may also contact the Complaints Management Program via email at specialercomplaints@k12.hi.us or phone at (808) 307-3600 or visit HIDOE's Dispute Resolution Website at <https://bit.ly/DisputeResolutionHIDOE> or use the QR Code.






Mediations





State Written Complaints

- ❖ **Eligibility to File:** Any parent, individual, or organization may file a signed, written complaint alleging a violation of IDEA or HAR Chapter 60.
- ❖ **Required Information:** Complaints must include the information specified on **Page 14** of the Procedural Safeguards Notice (PSN). Use of the HIDOE model form is encouraged but not required.
- ❖ **Statute of Limitations:** The complaint must allege a violation that occurred within *one (1) year* of the date the complaint is filed.
- ❖ **Investigation Timeline:** The Monitoring and Compliance Branch investigates and provides a written decision within a *60-calendar day* timeline.



HAWAII STATE DEPARTMENT OF EDUCATION
SPECIAL EDUCATION
STATE WRITTEN COMPLAINT FORM

This form is optional. The asterisked (*) information is required for the state complaint to be processed.

TO: Complaints Management Program
Monitoring and Compliance Branch
P.O. Box 2360
Honolulu, HI 96804
Phone: (808) 307-3600
Email: specialcomplaints@k12.hi.us

***Complaint Contact Information (Complainant)**
FROM: _____
*Print Name _____
Check one: Parent/Legal Guardian
 Other: _____
*Phone Number _____
*Email Address _____

Student Information (required if you are alleging violation with respect to a specific student)

*Name of Student

Date of Birth

*Name of Current School

*Student's Residential Address** (if applicable)

City State Zip Code

**If the student is a homeless student or youth, please provide the student's contact information.

Check All Applicable

Yes No Alleged violation occurred not more than one (1) year prior to the date of this written complaint.

Yes No I am an adult student without guardianship and can file a written complaint.

Yes No The student is not an adult. I am the parent or legal guardian who has not had his/her parental rights terminated.

Yes No I am a parent acting as a legal guardian or legal advocate of an adult student.

Yes No I would like to schedule mediation to resolve these concerns.

Yes No The student has a pending due process hearing.

Individuals with Disabilities Education Act (IDEA)/Hawaii Administrative Rules (HAR) Chapter 60 Violation:
Check All Applicable:

IDENTIFICATION: Referral process prior to evaluation or determination of eligibility

EVALUATION: Activities involved in information gathering to determine special education eligibility and/or the extent of special education and related service(s) needed by the student

PLACEMENT: The educational setting for the implementation of the Individualized Education Program (IEP)

PROVISION OF A FREE APPROPRIATE PUBLIC EDUCATION: Activities/services related to the IEP

FAILURE TO IMPLEMENT DUE PROCESS HEARING DECISION

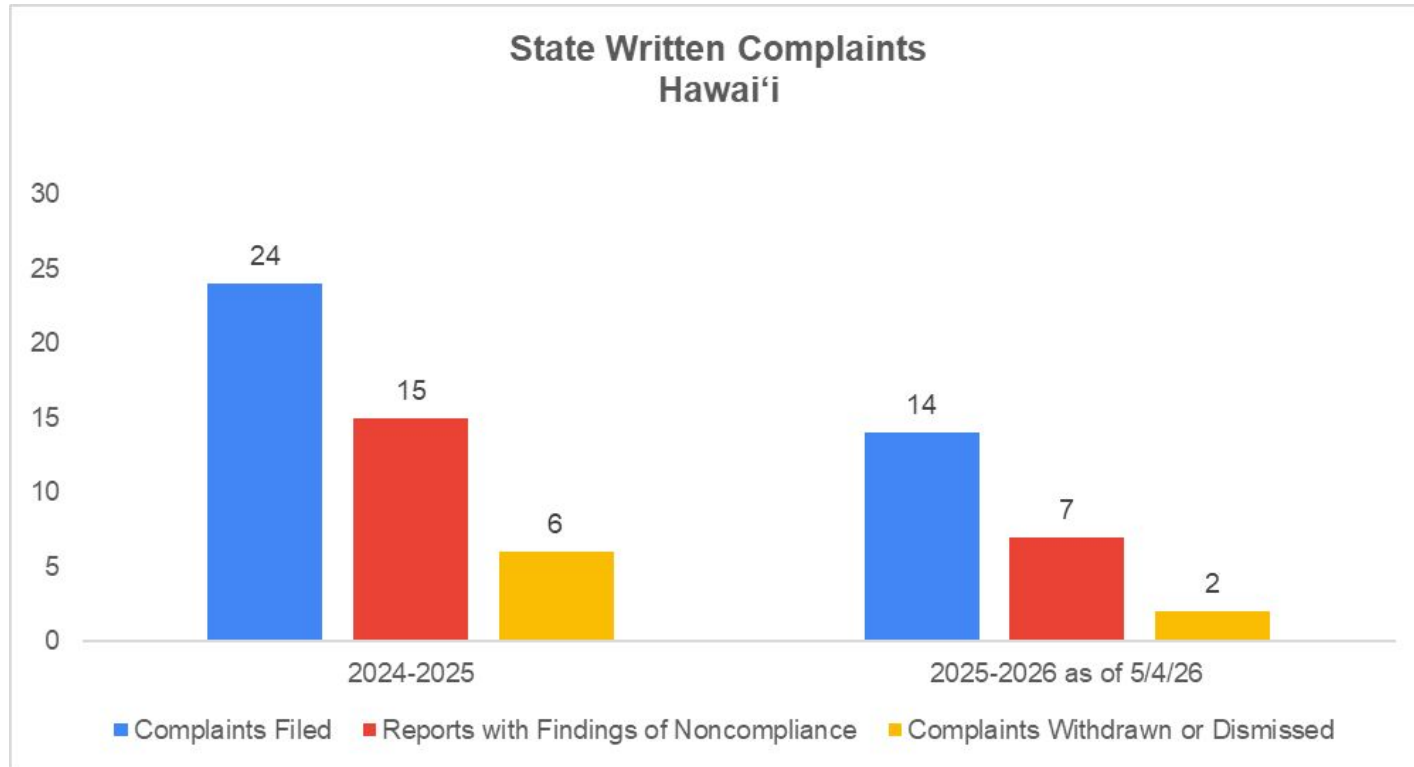
OTHER IDEA/HAR CHAPTER 60 RELATED VIOLATION

DISTRIBUTION FOR DEPARTMENT USE:
Complex Area Superintendent
District Educational Specialist
Principal, Department's School of Attendance

Special Education State Written Complaint Form
Revised February 2024
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State Written Complaints





Ensuring Compliance

Enforcement & Resolution

Regardless of the mechanism chosen, the primary goal is to ensure that student rights are protected and educational needs are met.

- ❖ **Required Resolutions:** Mandatory steps for schools found out of compliance.
- ❖ **Technical Assistance:** Ongoing support to complex areas and schools to prevent recurring issues.
- ❖ **Enforceability:** All final decisions and agreements carry the weight of law.



SAVE THE DATE

FFY 2025

State Performance Plan/Annual Performance Report (SPP/APR) Engagement Meeting

Date: Friday, December 4, 2026

Hybrid: In-person and Virtual

In-Person: Windward Community College - Hale 'Ākoakoa 101

Virtual: Zoom link will be shared

Time: 8:00 am - 2:30 pm

The Monitoring and Compliance Branch, IDEA Team will send information.
Stay tuned!



Questions & Contact

Monitoring and Compliance Branch | Complaints Management Program

Email: specialcomplaints@k12.hi.us

Phone: (808) 307-3600

Website:

<https://hawaiipublicschools.org/school-services/parent-rights/dispute-resolutions-and-mediations/>