

EXPLANATION OF CHANGES
NOTICE OF PROCEDURAL SAFEGUARDS FOR PARENTS/GUARDIANS OF STUDENTS WITH DISABILITIES 34-57J
July 2018

ISBE revised language in the *Notice of Procedural Safeguards for Parent/Guardians of Students with Disabilities (34-57J)* on page 13, paragraph 2, under “Mediation” to align the language with current legislation.

Previous 2017 language

The agreement of the parties to enter mediation shall allow the child to remain, or “stay put”, in his or her current placement during the pendency of the mediation. The placement shall be the last placement to which the parties agreed. If mediation fails to resolve the dispute between the parties, the parent (or student if 18 years of age or older or emancipated) shall have 10 days after the mediation concludes to file a request for a due process hearing in order to continue to invoke the “stay-put” provisions.

Revised 2018 language

A request for mediation by a parent challenging a district proposal to change the child’s educational placement shall invoke the “stay-put” provision. The “stay-put” placement shall be the last agreed upon placement between the parties. In the event a party declines to use mediation, the parent (or student if 18 years of age or older or emancipated) shall have 10 days from the date of the refusal to request a due process hearing in order to continue the “stay-put” placement. If mediation fails to resolve the dispute between the parties, the parent (or student if 18 years of age or older or emancipated) shall have 10 days after the mediation concludes to file a request for a due process hearing in order to continue to invoke the “stay-put” provision.

<https://www.isbe.net/Pages/Special-Education-Individualized-Education-Program.aspx>