



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

**EDUCATION**

**Policy Updates Related to COVID-19:  
Office of Dispute Resolution Guidance -  
Individuals with Disabilities Education Act (IDEA) Due Process and Alternative Dispute  
Proceedings  
(Updated March 20, 2020)**

**Background**

As a part of the District's response to the COVID-19 outbreak in the United States, the Office of Dispute Resolution (ODR) within the Office of the State Superintendent of Education (OSSE) is modifying, updating, and re-circulating certain policies.

**Scope**

This document contains details and guidance specifically relating to the continuation of dispute resolution proceedings and to further the provision of dispute resolution services.

**Effective Date**

This guidance will take effect retroactively from March 16, 2020 and will remain in effect until further notice. All provisions contained in the federal IDEA (20 U.S.C. §1400, *et seq.*), relevant and applicable IDEA regulations (34 CFR §300.500 *et seq.*, relevant and applicable portions of the District of Columbia Municipal Regulations (DCMR) (5E DCMR §3000, *et seq.*) ODR's Standard Operating Procedures (SOP) as well as any guidance issued by the US Department of Education, remain in full force and effect.

**Policy Guidance**

In the event of a prolonged temporary transition of ODR to fully remote telework, the following provisions will come into effect to provide continuation of services and ODR operations for those parties involved, or to be involved, in the dispute resolution processes.

**1) Document Submission – Case Filings, Pleadings, Settlement Agreements, etc.**

***A) Intake – Initial Case Filing***

While transitioned to fully remote telework status, the ODR will continue to accept documents and submissions from all parties in electronic format. These documents may be provided via eFax at (202) 478-2956, or via e-mail [hearing.office@dc.gov](mailto:hearing.office@dc.gov), as attachments or through direct link. Electronic documents will not be accepted from third-party host services (such as Dropbox, or similar services), or any service which requires creation of an account to access.

Hard-copies (documents in any physical format) of documents cannot be accepted by the ODR main office, (1050 First Street, NE). Should an Impartial Hearing Officer (IHO) require a 5-day

disclosure in hard-copy format, methods for submission of such documents shall be devised by between the parties and the assigned IHO.

### ***B) Provision of Documents***

Documents, heretofore provided by ODR in hard-copy, shall be provided in electronic format via e-mail, either as attachments or through a direct link. Regarding those documents for which a hard-copy has been requested, provision in the format of choice will also be provided upon transition from fully remote telework to normal office operations.

## **2) Meetings**

The ODR main office is unavailable to host physical meetings. Below, please find guidance for continued provision of services for each type of dispute resolution meeting.

### ***A) Prehearing Conferences***

Prehearing conferences shall be scheduled and held in a remote manner agreeable to all parties and the IHO, and in compliance with IDEA regulations. Should a party wish to have the prehearing conference recorded, a request can be submitted to the IHO to be fulfilled at their discretion. The ODR will not transcribe any audio recordings of proceedings made using outside recording devices (such as cell phone recordings, personal recorders, or similar devices).

### ***B) Due Process Hearings***

Remotely recorded teleconferencing is available for any scheduled due process hearings. Provision of a conference bridge phone number and access code shall be made to parties by the IHO assigned to the case. Should parties not wish to pursue this option, cases must either be continued or voluntarily dismissed, (and, if desired, refiled), to comply with IDEA guidelines.

### ***C) Mediations / Facilitations***

Remote teleconferencing is available for mediations and facilitations. Should the mediation/facilitation be scheduled to take place in a location offsite from OSSE headquarters, it may continue as scheduled, provided the arrangement is agreeable to all parties and the assigned mediator/facilitator.

## **Questions?**

If you have questions pertaining to a specific hearing/mediation/facilitation to which you are a party, please contact the assigned IHO/mediator/facilitator using the contact information provided at their assignment.

If you have questions, please contact:

<b>ODR Contact</b>	<b>Contact Information</b>	<b>Responsibilities</b>
Pamela Brown	202-481-3437 Pamela.brown4@dc.gov	Deputy Director of Student Hearings
James Catlin	(202) 698-3819 (ODR main line) James.Catlin@dc.gov	Office Operations, Remote access liaison for meetings and hearings. Document intake.

Tawanda Owens	(202) 304-7211 Tawanda.Owens@dc.gov	Case data, requests for certifications and case records.
Sharon Courm or James Catlin (information mentioned above)	(202) 481-3457 Sharon.Courm@dc.gov	Case scheduling and assignment, ADR intake coordination, requests for transcripts and language Interpreter service.

ODR encourages all parties to review and monitor reliable sources of information related to coronavirus (COVID-19). Below are links you may find helpful:

- Government of the District of Columbia - [coronavirus.dc.gov](https://coronavirus.dc.gov)
- United States Department of Education - [ed.gov/coronavirus](https://ed.gov/coronavirus)