*****Massachusetts Department of***

***Elementary and Secondary Education***

### 75 Pleasant Street, Malden, Massachusetts 02148-4906 Telephone: (781) 338-3000 TTY: N.E.T. Relay 1-800-439-2370

| Jeffrey C. Riley*Commissioner* |  |
| --- | --- |

DATE

NAME

ADDRESS

 Re: Intake XX-XXXX
 Student or Group Name: NAME

 **BSEA Extension/Set-Aside**

Dear NAME:

This is to acknowledge receipt of your *Intake Information Form* indicating a possible violation of a special education related state or federal law or regulation. The Problem Resolution System office (PRS) received the Intake Information Form on [DATE].

Because the concern(s) identified in your complaint is/are also currently filed with the Bureau of Special Education Appeals (BSEA) for either a mediation or a hearing, we want to make you aware of the following:

**If your case is involved in Mediation**

Since your identified concern(s) is the subject of a mediation being conducted by the BSEA, we are requesting both parties to consent to an extension of the timelines for resolution of this state complaint to allow the mediation process to proceed. If both parties agree, your state complaint will be set aside until the conclusion of the mediation, at which time any remaining compliance issues will be addressed. If both parties do NOT agree to the extension, PRS will proceed to make findings on issues within our jurisdiction within 60 days of the filing date of the complaint with our office, but please be aware that PRS determinations are final, and will not be changed as a result of any mediated agreements.

Please contact me as soon as possible to inform me of your decision in regard to extending the timelines for this case at [CONTACT INFORMATION].

**If your case is involved in a Hearing**

PRS is required to set aside the issues contained in your complaint that are also subject of due process proceedings until a finding has been reached in your due process case, at which time PRS will resume consideration of any issues not addressed through the due process hearing.

After a review of the issues contained in your case, we have determined that all issues contained in your state complaint will be set aside at this time pending the conclusion of due process proceedings.

OR

The following issues will be investigated because they are not subject of the due process hearing:

1.

2.

3.

For your reference, the number that is assigned to your complaint is indicated above. Please use this number whenever communicating with the Department regarding this matter. Should you wish to contact me, my telephone number is (781) 338-3000.

Sincerely,

NAME, PRS Specialist

Problem Resolution System Office

c: , Superintendent of Schools

, Local Contact

NAME, Director, Bureau of Special Education Appeals