

IDEA's

Options for Dispute Resolution



Familiar Approaches to Resolving Conflicts



A4.

B3.



How About These?



Produced by NICHCY, 2007

A4.

B3.



This module looks at...

IDEA's options for dispute resolution

- Informal approaches
- State complaints
- Mediation
- Due process complaints
- Resolution process
- Due process hearings
- Expedited due process hearings in disciplinary situations
- Other hearings



Produced by NICHCY, 2007

Procedural Safeguards Notice

- Is a comprehensive written explanation of procedural safeguards available to parents of a child with a disability
- Must be provided to parents once per school year
- Must also be given to parents under specific conditions



Examples of Informal Approaches

- IEP Review



Examples of Informal Approaches

- IEP Facilitation



State Complaints

- What is a State complaint?
- Who may file one?
- What information must be included?
- What are the SEA's procedures for handling the complaint?
- Are there time limits?



Mediation

- Description
- Benefits
- Procedures
- SEA's obligations
- Confidentiality of discussions
- Enforcement of written agreement



Reach for the sky.



And sit back
down, refreshed.



Due Process Complaints

- What is a due process complaint?
- Who may file one?
- Are there time limits?
- What information must be included?
- What if it's **not** included?
- How does an LEA respond?



Produced by NICHCY, 2007

Resolution Process



Produced by NICHCY, 2007

- Description
- Benefits
- Procedures
- LEA's obligations
- Timelines
- Enforcement of written agreement

Due Process Hearings

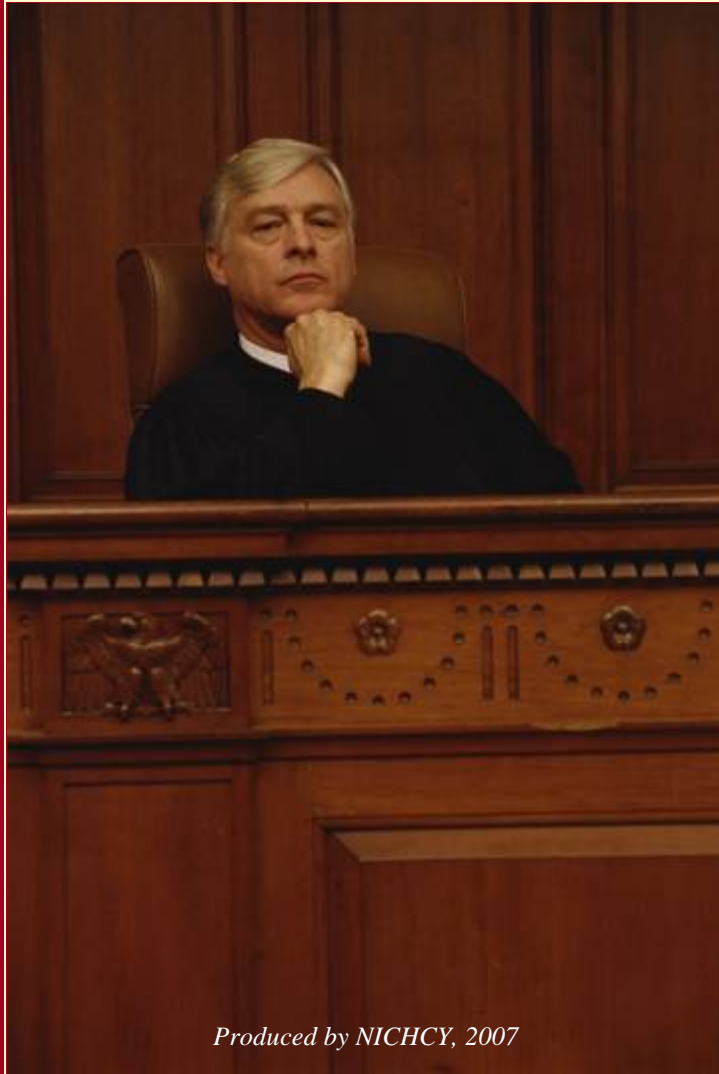
What happens there?



What rights do the parties have?

What are the timelines?

Due Process Hearings



Produced by NICHCY, 2007

Qualifications of
Hearing Officer

Due Process Hearings



Produced by NICHCY, 2007



Standard for Hearing
Officer's Decision

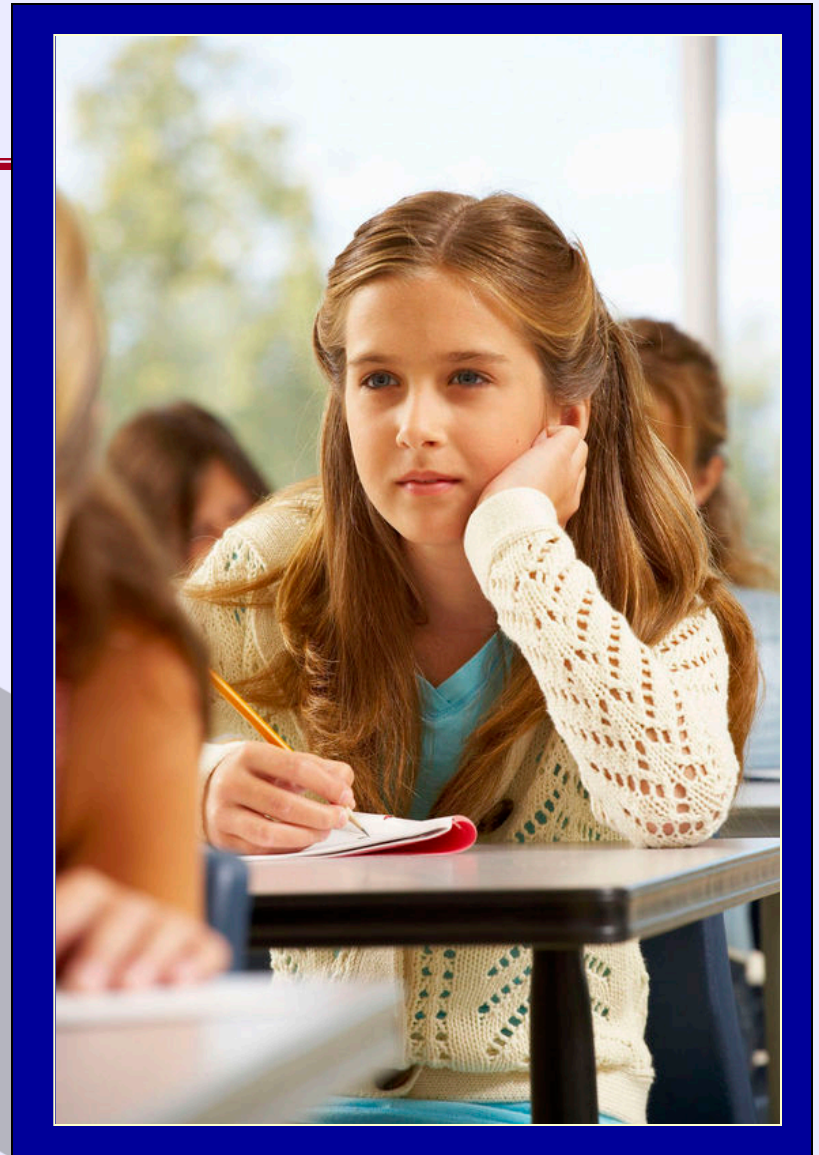
Due Process

Attorneys' Fees



Due Process

What is the **child's placement** until completion of the due process proceedings?



Produced by NICHCY, 2007

Due Process



Special Rules for Due Process Hearings in Disciplinary Situations

Due Process

When a Child with
a Disability is
Unilaterally Placed
at a Private School

and

Tuition
Reimbursement
is at Issue



Roundup Time!



Produced by NICHCY, 2007