

Dispute Resolution Process Comparison

	Resolution Facilitation	Mediation No request for hearing	Mediation Request for hearing	Due Process Hearing	Complaint
<i>What are the main features in this option?</i>	Voluntary process, impartial AEA person trained in mediation, resolve issues at the earliest level	Voluntary process, impartial state-assigned person trained in mediation, less formal than a hearing, legally binding agreement	Voluntary process, impartial state-assigned person trained in mediation, less formal than a hearing, legally binding agreement, timelines enforced	Formal event, attorneys typically involved, occurs after mediation and a resolution meeting have been offered, timelines enforced, resembles going to court, administrative law judge renders a decision	Written complaint by parent to state when a perceived violation of special education rules has occurred, investigated by the State, timelines enforced, corrective action plan required within one year if violation is proven.
<i>Why choose this option?</i>	Resolves issues at earliest level with AEA help.	Resolves issues early with state assigned mediator, goal is a legally binding agreement	Resolves issues prior to going to hearing, specified timelines, attorneys are often used, goal is a legally binding agreement	When mediation is not successful and resolution cannot be reached, final decision is made by administrative law judge	Violations are occurring or have occurred over past year, an investigation is desired with the possibility of a corrective plan
<i>What are the timelines once a process begins?</i>	No specific timeline to complete	No specific timeline to complete	30 day resolution period, followed by a 45 day period to complete a hearing and get decision	45 days from the end of the resolution session - unless specific extensions to the timeline are granted	60 days from receipt of the complaint unless extended for unusual circumstances
<i>Who makes the decision?</i>	Parent and school district, both parties must agree to the solution in writing.	Parent and school district/AEA , all parties must agree to the solution in writing, decisions are legally binding.	Parent and school district/AEA , all parties must agree to the solution in writing, decisions are legally binding.	Administrative Law Judge	Iowa Department of Education
<i>If I disagree with the outcome, what else can I do?</i>	Request a mediation or file a complaint	Request a hearing (mediation included) or file a complaint.	Go to hearing.	Appeal the decision in civil court.	Request a hearing (mediation included) or appeal to district court.