

What is Dispute Resolution?

The Individuals with Disabilities Education Act (IDEA) requires states to have a formal process for families and districts to resolve special education related disputes. We offer and oversee services for several options, including:

- Facilitation of special education meetings
- Mediation
- State administrative complaint investigation
- Due process hearings

Who Provides Services?

The Dispute Resolution (DR) office maintains a list of highly qualified contractors who are assigned on a rotational and geographic basis. The DR contractors have significant experience as special education directors and teachers; school psychologists and administrators; attorneys; Idaho Special Education Support and Technical Assistance (SESTA) coordinators; and, in many cases, as parent advocates or relatives of children with disabilities.



We Believe

- Everyone deserves to be heard and understood
- Conflict provides opportunities
- Conflicts should be resolved at the lowest level appropriate
- Students have better outcomes when families and school teams work together
- Teams may function better with the support of a fair and neutral third party



Contact Info

Idaho Department of Education
Special Education
Dispute Resolution Office

- ☎ 208-332-6912
- ☎ 208-332-6914
- ✉ DisputeResolution@sde.idaho.gov
- 📍 650 W. State Street
Boise, Idaho 83702



Dispute Resolution

Special Education
Idaho Department of Education

www.sde.idaho.gov/sped/dispute



When Should I Request Services?

Families sometimes contact us when:

- **Seeking information** about their rights provided under the Individuals with Disabilities Education Act (IDEA)
- **Having difficulty** reaching the right person to answer a question/request
- **Trying to clarify** or confirm information about which services are or should be offered to their child
- **Frustrated or concerned** about how their student's Individualized Education Program (IEP) team is functioning
- **Feeling left out or unheard** by the IEP team process
- **Following up** after denial of a request for special education services
- **New to the special education process**, feeling overwhelmed and seeking a neutral third-party facilitator who has expertise and experience with IDEA



Facilitation

Facilitation is a voluntary process, free to families and districts, that helps IEP and other special education teams reach agreements and decisions related to students' IEPs. Facilitators are:

- Experienced professionals acting as neutral third parties who are not IEP team members
- Skillful at running effective meetings where all parties can be heard
- Adept at managing challenging issues that may arise when teams disagree
- Experts who can provide insight and resources from a neutral perspective



Mediation

Mediation is a voluntary process, free to families and districts, that helps parties identify points of agreement and resolve differences about the provision of free appropriate public education (FAPE). Mediation supports positive working relationships, encourages understanding, and helps the parties focus on the student.

What are the Dispute Resolution Processes?



State Administrative Complaint Investigation

Complaints can be filed by any individual or organization alleging any violation of the IDEA, Part B. Procedures are outlined in IDEA regulations requiring that, in part, a complaint must allege a violation that occurred no more than one year prior to the date the complaint has been received.



Due Process Hearing

A due process hearing request involves one or more allegations filed with the Idaho Department of Education by either a parent/adult student or the district on issues relating to special education and the provision of FAPE. An expedited due process hearing is an administrative hearing to resolve disputes concerning discipline of a student with disabilities. Independent hearing officers manage these complaints.