

IDEA Dispute Resolution Comparison Table

These processes may be used to resolve disputes under Part B (children aged 3-21) and Part C (birth - 3) of the Individuals with Disabilities Education Act (IDEA)

	State Mediation	Due Process	State Complaint
Purpose	Mediation is a meeting where parents and schools agree to have a neutral, trained state mediator help resolve disagreements about the education of a learner with a disability.	A due process hearing is a legal process before an administrative law judge to resolve a dispute about the identification, evaluation and placement of a learner or the provision of a free appropriate public education (FAPE).	A state complaint is a formal request to the Iowa Department of Education to investigate potential violations of the Individuals with Disabilities Education Act (IDEA).
Main Features	<ul style="list-style-type: none"> • Voluntary and confidential process • Facilitated by a trained state mediator • If an agreement/resolution is reached, a legally binding agreement is signed 	<ul style="list-style-type: none"> • Formal hearing in front of an Administrative Law Judge (“ALJ”) • Attorneys often involved • ALJ issues a final decision • If no violations are found, the case is closed • If a violation is found, the decision will include required corrective action for the School/Public Agency 	<ul style="list-style-type: none"> • Complaint investigated by a state complaint investigator • State complaint investigator issues final decision • If no violations are found, the complaint is closed • If a violation is found, the decision will include required corrective action for the School/Public Agency
Who can initiate the process?	Parent or School/Public Agency, but must be voluntary for both	Parent or School/Public Agency	Any individual or organization, but cannot be anonymous
Timelines	<p>No restrictions regarding when a party may request mediation.</p> <p>Mediation must be provided within a reasonable amount of time of the parties agreeing to mediation.</p>	<p><i>Birth to 3:</i> No restrictions regarding when a party may file due process. ALJ must issue a decision within 30 days.</p> <p><i>Ages 3-21:</i> Restricted to alleged violations that occurred within two years of filing. 30 day resolution period then ALJ must issue a decision within 45 days.</p>	<p>Restricted to alleged violations that occurred within one year of filing.</p> <p>Investigator has 60 days to issue a decision</p>
Decision Makers	The parents and LEA/Public Agency	ALJ	State complaint investigator