

Guide to Special Education Dispute Resolution Processes Oklahoma

Processes	IEP Facilitation	Mediation	Resolution Session (Due Process Hearing)
How the Processes Differ	Early resolution process where an impartial facilitator assists the IEP team with communication and problem solving.	A voluntary process that brings people together with a mediator, who helps them communicate with each other and resolve their disagreements.	A meeting that takes place after a parent files a due process complaint/hearing request but before a due process hearing takes place.
What Issues and When Used	Used when a parent and school district are unable to agree on important issues related to a child's IEP, or when a meeting is expected to address complex issues or be controversial.	Available anytime there is a disagreement between parents and educators about special education and /or related services.	Used to resolve issues listed in a due process complaint/hearing request. The meeting must occur unless the parent and school district agree in writing not to have the meeting, or to use the mediation process instead.
Who initiates	A parent or school district may request IEP facilitation.	A parent or a school district may request mediation.	The school district must hold a resolution session within 15 calendar days of receiving the notice of a parent's due process complaint/hearing request.
Outcome or desired result	An IEP that is supported by the team members and benefits the child.	A signed, legally enforceable, written agreement. *Mediation can close a complaint where the issues are the same and are resolved.	A signed, legally enforceable written agreement that resolves issues listed in the due process complaint/hearing request.

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Process Distinctions	<p>IEP facilitation is an early dispute resolution option that is not required by the IDEA.</p> <p>IEP facilitation allows all members of the team the chance to participate fully.</p>	<p>Mediation discussions are confidential.</p> <p>Mediation is a flexible process- participants may influence the process, and ultimately determine the outcome.</p>	<p>Resolution meetings only occur after a due process complaint/hearing request is filed.</p>
Time Frame	<p>No specific timeline. Meetings may be scheduled with a few days or weeks of a request being received.</p>	<p>Available at any time, even if a due process complaint/hearing request or written state complaint has already been filed.</p> <p>Must be scheduled in a timely manner.</p>	<p>If the requirement is not waived, or mediation is not used, a resolution meeting must take place within 15 calendar days of the filing of a due process complaint/hearing request.</p>
Financial Cost	None	None	None
Impact on Relationships	<p>Having a facilitator present at IEP meetings can help team members problem-solve together more effectively.</p> <p>Better communication and improved relationships often result from facilitated IEP meetings.</p>	<p>A mediator may help participants problem solve more effectively.</p> <p>A successful mediation can help improve the school-family relationship.</p>	<p>Resolution meetings give parents and school districts an opportunity to resolve issues without going to a hearing.</p> <p>Using a facilitator to guide discussion and problem-solve may result in better communication.</p>

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<p>How to Prepare</p>	<p>It may be helpful to:</p> <p>Make a list of the issues you want to discuss and questions you want to ask.</p> <p>Think about what is most important to your child and his or her needs.</p> <p>Be willing to listen and carefully consider others' ideas.</p> <p>Organize documents, put dates and notes on them, and bring extra copies.</p> <p>Bring materials that may be helpful to explain or inform others.</p> <p>Think about how you plan to deal with emotions during the meeting.</p> <p>Arrive a little before the meeting, so you have time to get ready to participate.</p>	<p>It may be helpful to:</p> <p>Identify issues you want to discuss during the mediation.</p> <p>Make a list of your child's needs and questions you want to ask. Think of questions that others might ask and write down possible responses.</p> <p>Organize documents, put dates and notes on them, and bring extra copies.</p> <p>Bring materials that may be helpful to explain or inform others.</p> <p>Be willing to listen and carefully consider others' ideas, as well as possible solutions.</p> <p>Think about how you plan to deal with emotions during the meeting.</p> <p>Consider asking someone to go to the meeting with you, to help you stay positively focused.</p>	<p>It may be helpful to:</p> <p>Bring a copy of the due-process/hearing request and other materials that may be useful to you.</p> <p>Make a list of your child's needs.</p> <p>Organize materials, including dates and notes on documents.</p> <p>Consider all possible solutions to the problem.</p> <p>Think about how you plan to deal with emotions during the meeting, and try to stay optimistic.</p> <p>Consider asking someone to go to the meeting with you, to help you stay positively focused.</p>

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