Summary of Oklahoma Special Education Dispute Resolution Options

The Special Education Resolution Center (SERC) partners with the Oklahoma State Department of Education - Special Education Services (OSDE-SES) to help families and schools across the state. Disagreements regarding a student's educational needs sometimes arise between public agencies (e.g. school districts), parents, and/or adult students. Dispute resolution options are available to assist the parties in resolving issues.

	IEP Facilitation - SERC	Mediation - SERC	State Complaint - OSDE	Due Process - SERC
Rationale for Service	• Complex and complicated topics for discussion in meeting; difficult team dynamics or communication issues; disagreement related to the student's education • Flexible, interest-based focus, decision making by parties	• Specific issues of disagreement related to the student's education • Flexible, interest-based focus, decision making by parties	• Alleged violations of the Individuals with Disabilities Education Act (IDEA) that occurred within **one year** of the complaint filing • Fixed, rights-based focus, third-party decision making	• Disputes about a student's identification, evaluation, placement, or the provision of a free and appropriate public education (FAPE) that occurred within **two years** of the filing of the due process request • Fixed, rights-based focus, third-party decision making
Starting the Process	Parents or public agencies may request IEP Facilitation, but both parties must agree.	Parents or public agencies may request Mediation, but both parties must agree.	An individual or organization, including one from another state, may file a complaint against a public agency.	Parents or public agencies may file due process against either party.
Role of Provider/ Agency	The facilitator sets the stage with introductions and communication guidelines, then steps in *as needed* to redirect and assist the parties.	The mediator leads the session through discussion on the issues of disagreement, by helping the parties negotiate in an attempt to reach resolution. Mediators do not make decisions for the parties.	• The state agency investigates allegations in the complaint through a review of records, document submissions, interviews, etc. • At the end of the investigation, a decision is issued with the findings of compliance or non-compliance with associated corrective action.	• SERC receives the filing, assigns a hearing officer, provides procedural guidance to both parties, and serves as court clerk on all communication. • The hearing officer controls the process, functions as the "judge" in the filing, rules on actions from parties, provides decisions and ruling on the issues.
Goal/Outcome	If successful, an eligibility and/ or IEP team meeting where all parties are heard, resulting in team consensus and/or relationship repair with improved communication.	If successful, a legally binding agreement (contract) is created and enforceable in state court with documented agreement on one, more, or all issues submitted for resolution, with improved relationships among team members as a possible additional outcome.	The public agency and complainant receive any findings of compliance or non-compliance with resulting corrective action to remedy; state agency imposes decision; no appeal process.	The public agency and parent receive a decision related to the IDEA and substantive grounds regarding FAPE for the individual student; hearing officer imposes decision; appeal process.
Timeframe	Can be scheduled and held within a week to a few weeks (depending on parties); the duration of the meeting may be slightly longer than a typical eligibility or IEP meeting.	Can be scheduled and held within a week to a few weeks (depending on parties); the duration of the mediation session is typically at least half a day.	A written decision is issued within 60 days after the filing is received and opened by the state agency.	The first 30 days are the resolution period; the next 45 days are the hearing window; a decision is issued by day 75 after filing if the case proceeds to hearing. Expedited due process operates under a shorter timeline with no extensions.

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