

WDE SPECIAL EDUCATION

Dispute Resolution Chart

	MEDIATION	STATE COMPLAINT	DUE PROCESS COMPLAINT
Who can initiate the process?	A parent or LEA/Public Agency, but both parties must voluntarily agree to engage in mediation.	Any individual or organization, including those from out of state.	A parent or LEA/Public Agency.
What is the time limit for filing?	None specified.	Not more than 1 year prior to filing a written state complaint.	Two years from when the party knew of the problem, with limited exceptions.
What issues can be resolved?	Any issues related to special education	Any alleged violation of IDEA or Wyoming Chapter 7 Rules.	Any matter relating to the identification, evaluation, educational placement, or provision of a free appropriate public education (FAPE).
What is the timeline for resolving the issues?	Must be scheduled in a timely manner.	60 calendar days.	75 calendar days. The LEA must hold a resolution meeting within 15 days of the receipt of the parents' due process complaint, and the meeting may continue for up to 30 days. If no resolution can be achieved, the hearing must proceed and a decision must be issued within 45 days of the 30-day resolution period.
Examples	Staffing issues such as wanting your child to work with a different teacher or paraeducator. Program preferences such as wanting your child to be supported using one dyslexia program over another.	Procedural violations such as not receiving prior written notice or not scheduling an IEP team meeting at a mutually agreeable time and place. Substantive violations such as not receiving FAPE.	Reimbursement such as for tuition or for an independent evaluation.
Who determines the outcome?	All the parties together.	State education agency.	Hearing officer.
Potential outcome	A full settlement agreement that must be signed to be enforceable in a court of law.	A written decision including findings of facts and conclusions. If a violation occurred, corrective action will be ordered.	A written decision ordering remedial action if the hearing officer determines the IDEA violations require remedies.
Is there an appeal process?	Allegations that a settlement agreement has been breached may be addressed in any state or federal court of competent jurisdiction to enforce an agreement's terms.	The state complaint decision is final, but either party may request a due process hearing on issues relating to identification, evaluation, educational placement, or the provision of FAPE.	A due process hearing officer's decision may be appealed in state or federal court within 90 days of the date of the decision.