



Iowa Department of Education

Helping communities meet the learning needs of all of their children and adults.

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Conflict Resolution

Processes to Help Resolve Differences Between Parties

The Area Education Agency serving each district provides for a process to aid parties in resolving differences. This service is called

Processes

Resolution Facilitator Process. This involves using a Resolution Facilitator (impartial person) who is trained in mediation. The process may be requested to address issues between educators (district or AEA) and parents of general education, Section 504, or special education student also can be used between other parties involved with the district.

Resources

Additional information is available at [document](#) or by contacting the district Superintendent or the [AEA Resolution Facilitator Contact](#).

Documents

Laws, Rules & Legislation

Reports, Data & Statistics

The Iowa Department of Education provides four processes for issues involving special education:

Links

Preappeal Conference. A preappeal is a type of mediation that is less formal and less stressful than the options of a due process hearing or formal mediation to resolve disagreements between parents and educators about special education matters. It is voluntary for all parties and involves the use of a trained, impartial mediator assigned by the state Department of Education (DE). A copy of the model form is available in the Procedure Safeguards Manual for Parents or view the manual on the DE website. Historically, a settlement agreement (decided by the parties and not the mediator) is written 92% of the time.

Mediation. Even after a due process hearing has been requested, the dispute can be submitted to mediation before the hearing is conducted. The mediation process is voluntary and, therefore, less confrontational than a due process hearing. If a party doesn't desire a hearing but wants a process to resolve differences, the preappeal should be considered.

Formal Written Complaint. Any individual or an organization that feels a school district or AEA has violated a requirement of the Iowa special education rules may file a formal complaint with the Iowa Department of Education. The complaint must be submitted in writing. Additional requirements and a model form for filing a complaint can be found in the Parental Rights brochure. Most would contend this process does not promote communication, mutual respect, or an identification of common ground to the same degree as the Resolution Facilitator process, the preappeal conference or mediation.

Due Process Hearing. A parent may initiate a preappeal conference or hearing when an educational public agency proposes or refuses to initiate or change the identification, evaluation, or educational placement of the individual or the provision of FAPE to the individual. If a hearing is initiated the department shall inform the parents of the availability of the mediation conference. An administrative law judge conducts the hearing. The decision of the administrative law judge is final unless a party who is aggrieved wants to bring civil action by appealing the decision.