

PACER encourages families to try to resolve differences by first sharing their concerns with their Individualized Education Program (IEP) case manager and/or the school district's director of special education. If differences are not resolved at that level, and depending on which option is chosen,

## PARENTS MAY CONTACT THE FOLLOWING IN WRITING:

### For Conciliation, Mediation, Facilitated IEP Meeting:

send written request to the district director of special education and building principal

### For State Complaint or Due Process Hearing Request:

send a copy of your complaint or request for hearing to the district director of special education and to:

#### *Due Process Supervisor*

Minnesota Department of Education  
Division of Compliance and Assistance  
1500 Highway 36 West  
Roseville, MN 55113-4266  
Voice: (651) 582-8689 Fax: (651) 582-8725  
www.education.state.mn.us

### For Minnesota, Section 504 Complaint:

Office for Civil Rights-Chicago  
U.S. Department of Education  
Citigroup Center  
500 W. Madison Street, Suite 1475  
Chicago, IL 60661  
Voice: (312) 730-1560, (877) 521-2172  
Fax: (312) 730-1576 TDD: (312) 730-1609



## About PACER Center

PACER Center is a parent center for families of children and young adults with all disabilities: physical, cognitive, learning, and emotional. It is based on a parents-helping-parents philosophy.

PACER Center provides workshops, publications, and other resources to help families make decisions about education, vocational training, employment, and other services for their child or young adult with disabilities.



Learn more about PACER projects by visiting our Web site:

**PACER.org**

or by contacting PACER directly:

#### **PACER Center, Inc.**

8161 Normandale Blvd.

Minneapolis, MN 55437-1044

Voice: (952) 838-9000

TTY: (952) 838-0190

Toll-free in MN: (800) 537-2237

E-mail: [PACER@PACER.org](mailto:PACER@PACER.org)

Paula F. Goldberg, Executive Director

# MINNESOTA DUE PROCESS OPTIONS

## Resolving Differences Through the Special Education Process



This brochure is funded in part by the Minnesota Department of Education.

**952.838.9000 | [PACER@PACER.org](mailto:PACER@PACER.org) | [PACER.org](http://PACER.org)**

# MINNESOTA DUE PROCESS OPTIONS

*\*General Information only; please call PACER Center or the Minnesota Department of Education for further information\**

OPTIONS	<b>Conciliation</b> Required if parent requests	<b>Mediation</b> Voluntary for both parties	<b>Facilitated Individualized Education Program</b> Voluntary for both parties	<b>State Complaint</b>	<b>Section 504 Complaint</b>	<b>Due Process Hearing</b> Required if either party requests
ISSUES	Parent-school disagreement regarding identification, evaluation, placement, or services	Parent-school disagreement regarding identification, evaluation, placement, services, or other matters	Parent-school unable to develop an acceptable Individualized Education Program (IEP)	Claim that district is not following law or regulation	Claim of discrimination based on disability	Parent-school disagreement regarding identification, evaluation, placement, or services
WHO IS USUALLY INVOLVED	Director of special education, district staff, parent(s)	Mediator, district staff, parent(s), and others each may choose	IEP team and facilitator	Parent(s), organization or any citizen; Minnesota Department of Education, Division of Compliance and Assistance	Parent(s), organization, or any citizen; local 504 Officer, Office for Civil Rights (Region V Chicago)	Hearing officer, parent(s), district staff, expert witnesses, attorneys
DECISION MAKER(S)	Parent(s) and district	Parent(s) and district	IEP team with support from facilitator	Minnesota Department of Education, Division of Compliance and Assistance	Office for Civil Rights (Region V Chicago)	Hearing officer  If appealed: hearing review officer
TIMELINE	From receipt of request: <ul style="list-style-type: none"> <li>• set up within 10 calendar days,</li> <li>• memo five school days after final conference</li> </ul>	Must be scheduled in a timely manner	Must be scheduled in a timely manner	File within one year of violation; final decision 60 calendar days from filing in most cases	File within 180 calendar days of violation	File within two years of the alleged violation
COST: PARENT PAYS	None	None	None	None	None	Parent(s): attorney fees, expert witnesses (if needed)  If parents prevail, they may recover attorney's fees.