

SCOTTSBLUFF PUBLIC SCHOOLS
Scottsbluff, Nebraska

SPECIAL EDUCATION - Resolution Meeting Procedures

- A. Whenever a due process complaint has been filed under Nebraska Department of Education Rule 55, the school district shall convene a meeting with the parents and the relevant member or members of the IEP Team who have specific knowledge about the facts identified in the complaint.
1. The meeting must occur within 15 days of receiving notice of the parents' complaint;
 2. The meeting shall include a representative of the school district who has decision-making authority;
 3. The meeting may not include an attorney of the school district unless the parent is accompanied by an attorney;
 4. At the meeting the parents of the child shall discuss their complaint, and the facts that form the basis of the complaint, and the school district is provided the opportunity to resolve the complaint, unless the parents and the school district agree in writing to waive such meeting, or agree to use the mediation process.
- B. If the school district has not resolved the complaint to the satisfaction of the parents within 30 days of the receipt of the complaint, the due process hearing may occur, and all of the applicable timelines for a due process hearing shall commence.
- C. In the case that a resolution is reached to resolve the complaint at the meeting, the parties shall execute a legally binding agreement that:
1. is signed by both the parent and a representative of the school district or approved cooperative who has the authority to bind such agency; and
 2. is enforceable in any State court of competent jurisdiction or in a district court of the United States.
 3. allows either party to void such agreement within three business days of the agreement's execution.

Legal Reference: **Federal Regulation 34**
 CFR 300; Nebraska
 Statutes 79-1110 to 79-1178; 92 NAC 51:009.11

Approved:

Reviewed: 5/22/06

Revised: 5/22/06