

TIMELINES OVERVIEW

for COMPLAINTS

complaints must be resolved and a written decision issued within 60 days of receipt of the complaint

the issue in a complaint must have occurred within the past year (12 months)

parties can agree to extend timelines to engage in mediation to resolve a complaint

if mediation is not successful, the complaint must be resolved within applicable timeline

for MEDIATIONS

the MOE will appoint a mediator within five (5) working days of the request for mediation.

both parties must agree to participate in mediation, and both parties must agree to any resolution

for DUE PROCESS HEARING REQUESTS

MOE receives request for hearing	Day of Filing= F-1
MOE notifies other party and specifically addresses issues raised in request for hearing	Day F-10
MOE informs the parties of the availability of mediation	Day F-5
MOE informs the parties of any free or low-cost legal or other relevant services available in Palau	Day F-5
MOE appoints HO and provides copy of request	Day F-5
HO rules request for hearing sufficient, notifies parties	Day F-15
HO offers mediation	Day F-1 on

TIMELINES OVERVIEW

HO schedules **resolution meeting**

resolution meeting held	Day F-15	
resolution agreement	Day F-30	
if no parent participation, dismiss complaint	Day F-30	
if no EA participation, proceed to hearing timelines	Day F-15 to F-30	Day F-1
if no resolution, proceed to hearing timelines	Day F-30	Day F-1
party amends hearing request (timelines - including resolution meeting and procedures - start over)		up to Day F-40
DP hearing, decision and report		Day F-45

More information, "footnotes:"

if parties choose to use mediation rather than resolution, the 30-day resolution period still applies

if agreement is not reached during resolution meeting, mediation must continue to be available

if parent fails to participate in resolution meeting, the public agency may document its efforts to convince the parent, and request the hearing officer to dismiss the complaint

if public agency fails to hold a resolution meeting within the required timelines, or fails to participate in a resolution meeting, the parent may request the hearing officer to begin due process hearing timeline

parties can agree to extend timelines to engage in mediation to resolve a complaint

public agency may file due process complaint; if so, no resolution meeting is required (and therefore the timeline for written decision begins on Day 2), but the agency and parent can agree to engage in mediation

"Footnotes" Source: *IDEA Dispute Resolution Processes Comparison Chart*; OSEP, 10/4/06; <http://IDEA.ed.gov>