

Due Process

92 NAC 51-009.14, 92 NAC 52-009.07 & 92 NAC 55

Resolution Process

92 NAC 55, 92 NAC 52-009.08 & 92 NAC 51-009.13

Within 15 days of receiving a Due Process Complaint and prior to the initiation of a Due Process Hearing the school district must convene a meeting with the parent and relevant member(s) of the IEP/IFSP Team

****May NOT include an attorney to the school unless parent is accompanied by an attorney****

Purpose of the Resolution Meeting:

- Parent of the child discusses the due process complaint including the facts that inform the basis of the due process complaint giving the district the opportunity to resolve the dispute
- If the school district has not resolved the due process complaint within 30 days of receipt of the due process complaint then the due process hearing may occur
- The meeting can be waived if the district and parent agree in writing to waive the meeting
- If resolution is reached at the meeting, the parties must execute a legally binding agreement 92 NAC 51-009.13D & 92 NAC 52-009.08

Resolution Period

- 92 NAC 51-009.13B - 51-009.13b5
- Adjustment to the 30-day Resolution Period see 92 NAC 51-009.13C- 51-009.13C1c
- If resolution is reached at the meeting, the parties must execute a legally binding agreement 92 NAC 51-009.13D