

# Minnesota Dispute Resolution Options

A comparison chart of **complaint processes** available to parents of students with disabilities

TYPE OF COMPLAINT:	SPECIAL EDUCATION COMPLAINT	DUE PROCESS COMPLAINT/HEARING	DISCRIMINATION COMPLAINT
<b>Why request</b>	If you are concerned the school district did not follow or is not following federal or state special education laws, regulations, or rules	If you have a dispute with the school district over the identification, evaluation, educational placement, or provision of a Free Appropriate Public Education to your child. If your dispute is over a manifestation determination or discipline-related decision affecting your child's placement, you can file an expedited due process complaint.	If you are concerned your child has experienced discrimination based on belonging to any class protected by state and federal law. Examples of protected classes include race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, and age.
<b>How to file</b>	Complete a <a href="#">Special Education Complaint form</a> and send it to the Minnesota Department of Education (MDE) by email to <a href="mailto:mde.assistance-compliance@state.mn.us">mde.assistance-compliance@state.mn.us</a> or by fax to 651-582-8725	Complete a <a href="#">Due Process Complaint and Request for Hearing form</a> and send it to the Minnesota Department of Education (MDE). The school district can also file a complaint. NOTE: Legal representation is not required, but guidance from an attorney can be helpful to parents for this legal process. School districts often use an attorney.	Complaint procedures vary by agency. You can file a complaint with your child's school district, the <a href="#">Minnesota Department of Human Rights (MDHR)</a> , or the <a href="#">United States Department of Education Office for Civil Rights (OCR)</a> .
<b>Timeline</b>	The alleged violations in your complaint must have occurred within one year of the date the MDE receives your complaint	You must file your complaint within two years of the date you knew or should have known about the alleged action that forms the basis of the complaint. Within 15 days of receiving notice of your complaint, the school district must arrange for a Resolution Meeting. If your complaint is not resolved within 30 days of the receipt of the due process complaint, the timeline for a due process hearing begins. If you file an expedited due process complaint, an expedited due process hearing must be held within 20 school days.	If you cannot find the school district nondiscrimination policy and complaint procedures online, contact the Superintendent's office to verify. To file a complaint with MDHR, the time limit is one year from the date of the incident. To file a complaint with OCR, the time limit is ordinarily within 180 days of the last act of discrimination.
<b>Decision maker</b>	The MDE Division of Assistance and Compliance	If resolved through a Resolution Meeting, the parent and school district. If the complaint goes to a hearing, an Administrative Law Judge from the Minnesota Office of Administrative Hearings.	At the school district level, the Human Rights Coordinator, Civil Rights Compliance Officer, Title IX Coordinator, or Americans with Disabilities Act/504 Coordinator. At MDHR, if resolution is not reached through Mediation or Conciliation, the complaint is resolved in court. At OCR, the investigator assigned to your complaint.
<b>Outcome</b>	With limited exceptions, within 60 days after the MDE receives a complaint, a final decision, which may include a corrective action plan, is rendered and sent to the parent and the school district	If the complaint goes to a hearing, a legally binding decision may be issued within 75 days from the date the complaint is filed, but this time frame is often extended for good cause. After an expedited due process hearing, a decision must be issued within 10 school days.	Outcomes from investigations of discrimination complaints vary by agency. Consult directly with the school district, MDHR, or OCR for further information.

To talk to a PACER parent advocate about your dispute resolution options, call (952) 838-9000 or email [PACER@PACER.org](mailto:PACER@PACER.org)  
 You can also contact the MDE Division of Assistance and Compliance at (651) 582-8689 or [mde.assistance-compliance@state.mn.us](mailto:mde.assistance-compliance@state.mn.us)