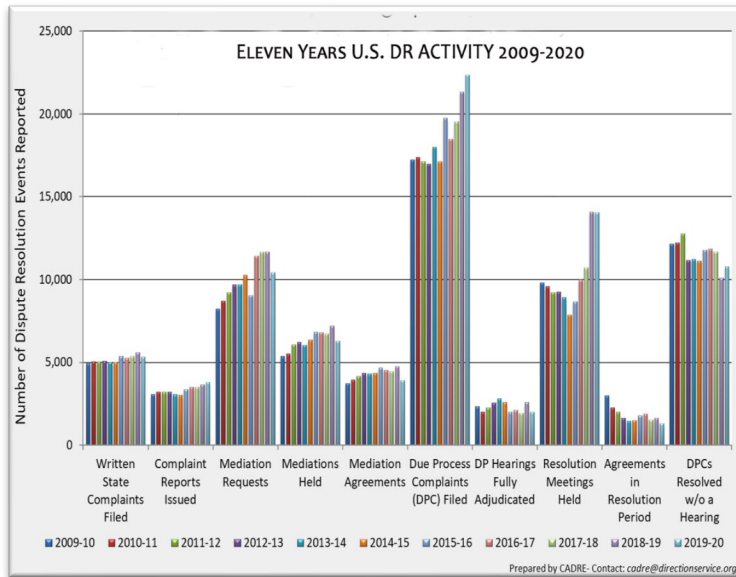


# Trends in Dispute Resolution under the Individuals with Disabilities Education Act (IDEA)

Updated November 2021

IDEA requires that States and entities receiving Part B funds offer processes to resolve disagreements arising under the IDEA. These processes include written state complaints, mediation, and due process complaints (which include resolution meetings).



## Written State Complaints

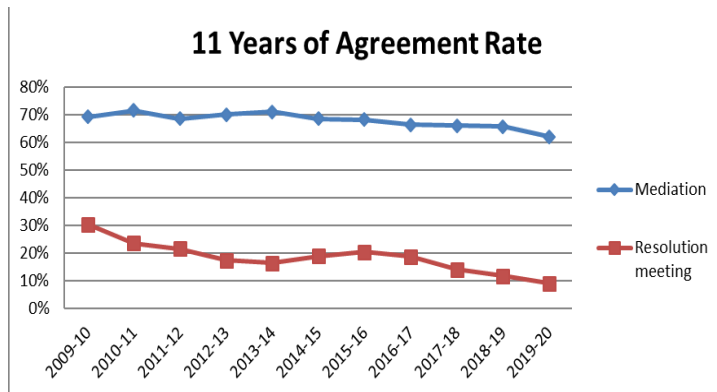
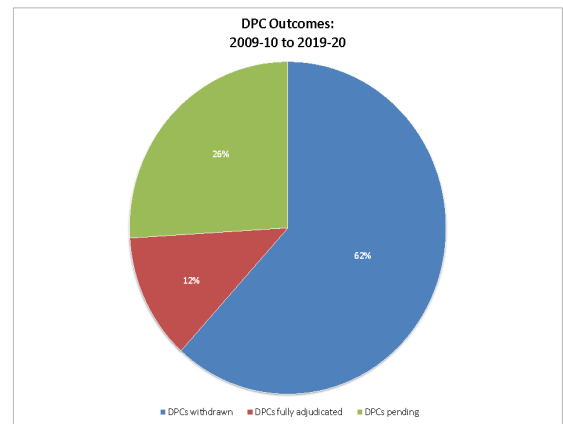
The number of *Written State Complaints Filed* have remained relatively steady over the 11-year period, with a slight increase to over 64% of *Complaint Reports Issued* in 2019-20. Most recent data show 64% of reports issued yielded findings of noncompliance. The majority (89%) of State complaint investigations continue to be timely, although the percentage dropped below 90% for the first time in 11 years.

## Mediations

*Mediation Requests*, *Mediations Held* and *Mediation Agreements*, all decreased slightly in the recent reporting period. In 2019-20 the percentage of mediation agreements was nearly 62% nationally, with a rate of nearly 68% over the 11-year period.

## Due Process Complaints

*Due Process Complaints Filed* continue to be on the rise with requests reaching their 11-year peak in 2019-20. Two States account for over 68% of complaints filed, with one State contributing a staggering 49.5% of the total due process complaint activity in the current reporting year. Similarly, two states account for nearly 79% of fully adjudicated due process complaints in 2019-20. Over the last 11 years, 88% of *Due Process Complaints Filed* were withdrawn, dismissed, or resolved without a hearing (62%), or pending at the end of the school year (26%). Only 12% of *Due Process Complaints Filed* resulted in a fully-adjudicated hearing. Despite an uptick in 2018-19, the number of fully-adjudicated hearings has remained relatively steady over the prior seven years.



## Resolution Sessions

The number of *Resolution Meetings Held* continues an upward trend, with the past two reporting years marking the highest number of sessions held over an 11-year period. *Agreements in Resolution Period* continue to fall far short of the number of meetings held resulting in a national average resolution period agreement rate of 9% in 2019-20. Despite the significant increase in the number of *Resolution Meetings Held*, *Settlement Agreements in the Resolution Period* are on a downward trend. Over the 11-year period, resolution agreements show a 50% decline.

## Collaborative Dispute Resolution Approaches

States continue to make investments in early conflict resolution activities not required by the IDEA, while simultaneously working to improve required dispute resolution systems. CADRE contends that well-designed, skillfully implemented, and collaborative approaches, such as IEP facilitation and mediation, can mitigate the use of more adversarial dispute resolution processes. Early dispute resolution options are generally more cost-effective and more expedient than other processes and may foster collaborative educator-family relationships.

\*Percentages calculated using raw numbers from CADRE's National Longitudinal Database. See [National Data Summary](#) for more information.