

SPECIAL EDUCATION MEDIATION

CEDR (DoDEA's CENTER FOR EARLY DISPUTE RESOLUTION)

What Is It?

Special education mediation is a process that can be used to resolve disagreements or conflicts on any matter related to the identification, evaluation, or educational placement of a child with special needs or the provision of a free appropriate public education (FAPE) to that child. In this process, an impartial person known as a “mediator” helps facilitate communication between the parties (generally the parents or sponsors and representatives of the school). During a mediation session, the mediator helps the parties discuss the problem, identify the real issues, and explore options for creating a voluntary, mutually acceptable solution. Special education mediation can take place any time a dispute arises.

The *special education mediator* is an impartial individual who is trained in both special education law and mediation techniques. The mediator has no authority to make a decision or determine who is right or wrong. Mediators can, however, assist parties to communicate, to identify misunderstandings, to recognize where they differ and where they agree, to understand what's important to them, and to find creative solutions.



Special Education Mediation Can Be a Good Idea Because:

- » The parties control the outcome of the process
- » The dispute can be resolved quickly
- » Communications are private and confidential
- » Parents and school personnel can address disagreements and solve problems without being involved in adversarial processes that damage their relationships
- » If no agreement is reached, the parties retain their rights to file a complaint or request a due process hearing

Mediation Is Not Appropriate When:

- » The parties want or need someone to decide who “wins”
- » The parties are not willing to make a good faith effort to resolve the problem
- » The conflict involves fraud, waste, abuse, or criminal behavior

How Do I Get More Information?

For further information about mediation at DoDEA, contact CEDR (DoDEA's Center for Early Dispute Resolution) at cedr@hq.dodea.edu; 703 588-3060 or see www.dodea.edu/offices/cedr

For mediation of EEO claims, contact DMEQ: <http://dodea.edu/offices/eoo>