

Benefits of Mediation

- ✓ Win-win for both parties
- ✓ Reaching an agreement through consensus building
- ✓ Opportunity to build relationships and resolve conflict
- ✓ Timely resolution of issues
- ✓ No cost to parents

A parent or school district may request mediation at any time by contacting:

Florida Department of Education
Bureau of Exceptional Education
and Student Services

Attn: Mediation

325 West Gaines Street, Suite 614
Tallahassee, FL 32399-0400

For more information about ESE mediation, contact your local school district or the Bureau of Exceptional Education and Student Services

Phone: (850) 245-0475
Fax: (850) 245-0953
www.fldoe.org/ese

- **Mediation** is a confidential process of resolving conflicts. It nurtures rather than destroys, and it develops trust and cooperation between people who have an interest in the education of exceptional students.
- **Mediation** can assist parents, schools, and agencies in resolving disagreements regarding the special education program of a student with disabilities and/or a student identified as gifted.
- **A trained mediator** helps the parties reach a mutually satisfactory solution that is in the best educational interest of the student.
- **Mediation** is voluntary and optional for both parties.



Florida Department of Education
Bureau of Exceptional Education and
Student Services
ESE 308010

Mediation in Exceptional Student Education



Mediation ...

Parents and School Districts working
together ... with assistance.

What is mediation?

Mediation is a way of resolving disagreements in exceptional student education (ESE). Mediation can assist parents, schools, and agencies in resolving differences before they become major barriers to parent/school relationships and the services for the student.

A trained mediator helps the parties reach a mutually satisfactory solution.

Mediation is a voluntary option for both parties and is a confidential process.

What can mediation do?

- √ Resolve disagreements concerning identification, evaluation, educational placement, and/or a free appropriate public education (FAPE) for a student with disabilities and/or a student identified as gifted
- √ Clarify issues causing the disagreement
- √ Provide those involved with uninterrupted opportunities to present their point of view
- √ Stimulate mutual problem-solving efforts
- √ Promote positive working relationships between parents and school personnel
- √ Help parents and school personnel focus on what they have in common—the student—rather than issues that divide them

How does mediation work?

When parents and schools are unable to resolve their differences through the individual educational plan (IEP) or educational plan (EP) processes, they may request mediation. *Both* parties must voluntarily agree to mediation before a mediator is assigned.

Mediation can be requested at any time.

- √ Mediation may be used to resolve the issues of a state complaint.
- √ Mediation may occur before or at the same time that a request for a due process hearing is made.
- √ If both parties agree, mediation may be used instead of the required resolution meeting associated with due process.

Mediation does not interfere with the right to a due process hearing or the right to file a formal complaint.

After a request for mediation is made to the Bureau of Exceptional Education and Student Services, the mediation is scheduled, and a mediator is selected. Every effort is made to schedule mediation in a timely manner. Mediation sessions usually last three to six hours.

The parent(s), the school district or agency representative, and other parties who have the knowledge necessary to resolve the dispute are guided by a trained mediator through a structured negotiation process.

The parties will discover

- Potential areas of agreement and
- Creative options to settle any or all areas of disagreement in a manner satisfactory to all parties.

The mediator does not make decisions for the parties; the mediator facilitates a negotiation process between parties who have reached an impasse.

Do parents have to pay for mediation?

Mediation is provided at no charge to parents. Mediators involved in mediation for students with disabilities are paid for by the Florida Department of Education, while districts pay for gifted education mediation. Each party is responsible for their individual expenses.



Mediation is the key.