

Preparing for Special Education Mediation



Scheduling

- Have several available dates ready to share with the mediator.
- Plan to attend a full day of mediation.
- Decide who should be in attendance, in addition to the Parent and School Administrator with decision-making authority. Will the special education teacher or service provider need to be present? Will an advocate or attorneys need to be present?

Planning

- Prepare and prioritize a list of your concerns.
- Organize and bring records that support your concerns. Records might include IEPs, evaluations, progress reports, discipline reports, emails, or communications.
- List possible solutions, including best possible options and acceptable options.
- Keep the focus on the student when brainstorming or thinking about possible solutions.
- Prepare a list of questions you hope to have answered and consider questions the other side may ask and how you might respond.

Participation

- Mediation is most productive when it is viewed as a collaborative process – come with the intent of finding a workable solution.
- Come to mediation with an open mind, prepared to listen to the other side’s point of view.
- Participation should be honest and courteous.
- Express your concerns as clearly as you can and listen respectfully to the other side without interruption.
- Be open to alternative options that could resolve the issues.

Outcome

- If agreement is reached:
 - Parties sign a written settlement agreement outlining solutions for each concern.
 - If parties decide to incorporate the terms of the agreement into the IEP, schedule an IEP meeting.
- If no agreement is reached:
 - Services will remain the same for the student.
 - Consider next steps and other available options for resolution, i.e., filing a due process or state complaint.

Resources

CADRE (The Center for Appropriate Dispute Resolution in Special Education) Companion Videos: [Overview of Mediation](#) and [Preparing for Mediation](#) or visit: www.cadeworks.org/resources/cadre-materials/idea-dispute-resolution-parent-guides/mediation

For legal advice or advocacy:

- AdvocacyDenver, www.advocacydenver.org
- Disability Law Colorado, www.disabilitylawco.org
- PEAK Parent Center, www.peakparentcenter.org
- Rocky Mountain Children’s Law Center, www.childlawcenter.org
- THRIVE Center, www.thrivectr.org