

Mediation

Mediation involves parents and educators in decision making. It gives you the opportunity to work with your child's team to resolve a disagreement and to find a solution that is in the child's best interest.

Mediation

Mediation is a tool for resolving disagreements between parents and schools regarding a child's special education needs. In Vermont, mediation can also be used to resolve a dispute regarding a child's 504 plan. Mediation is voluntary, and if you and your child's school agree, a neutral person, who is experienced in effective mediation techniques, will help you to resolve the disagreement.

The mediator will listen to both of you and encourage you to share information in a respectful way. He or she may also meet separately with you and with school staff so that you each have a chance to tell your story in confidence.

The mediator's job is to help parents and the school come to an agreement, not to make decisions for you. The written agreement that results from mediation becomes part of your child's permanent education record.

The information that parents and the school share during mediation is confidential. What you and the school say cannot be repeated during future due process or court proceedings. And, your mediator cannot be called as a witness in future proceedings.

The Department of Education will provide mediation services at no cost to you and the school. The Department maintains a list of qualified mediators who must be knowledgeable about special education law and regulations. Mediators cannot be employees of any school district or have any personal or professional conflict of interest regarding the disagreement between you and the school.

Parents' rights in the mediation process

Parents have certain rights in the mediation process. These rights are

*Disagreements
can be resolved
informally
and coopera-
tively through
mediation.*



Vermont Family Network

To order copies of this fact sheet, or to learn more about VFN's materials and services, contact the Vermont Family Network
600 Blair Park,
Suite 240,
Williston, VT 05495
1-800-800-4005

You can also contact us via e-mail at info@vtfn.org. And don't forget to visit our website at www.vtfn.org.

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- to request mediation if you disagree with the school about your child's special education eligibility, program, placement, related services, or evaluation
- to request mediation at any time during a due process hearing, administrative complaint, or court review
- to have the mediation session scheduled in a timely manner, at a convenient time and location for you and the school
- to share information at mediation meetings
- to bring an advocate, support person, or family member with you to mediation. School districts may bring an attorney to mediation only when parents are represented by an attorney.
- to have the mediation session conducted by a qualified and impartial mediator
- to end mediation at any time

If the disagreement is resolved through mediation, you and the school will be required to sign a legally binding agreement that is enforceable in state or district court.

To request mediation, write to the Vermont Department of Education, Special Education Mediation Service, 120 State Street, Montpelier, VT 05620-2501. After receiving your request, the Department will send you copies of parental rights and mediation procedures. You and the school will be required to sign a written agreement to mediate.

Preparing for mediation

- Be clear about the issues you want to talk about during mediation.
- Make a list of your concerns and use this list to help you present information in an organized way.
- Make a list of the questions you want to ask.

- Organize any documents you wish to bring to mediation. Make sure these documents have dates. Include any notes on these documents that will help you present information during mediation. Make copies to share with the school and the mediator.
- Think about the questions the school may ask and prepare a response.
- Write down all possible solutions to the problem that you would consider.

Resources

For more information about mediation, contact any of the organizations listed below.

Vermont Family Network
help for families navigating the education system
(802) 876-5315 • 1-800-800-4005
info@vtfn.org • www.vtfn.org

Vermont Department of Education
help with special education issues for schools and families
(802) 828-5114 (v/tty)
www.state.vt.us/educ/

Disability Law Project
legal support for special education services
(800) 747-5022 Burlington/Champlain Valley

(800) 789-4195 Central Vermont
(800) 769-7459 Addison/Rutland/
Bennington Area
(800) 769-6728 Northeast Kingdom
(800) 769-9164 Windham/Windsor Area
(800) 889-2047 Statewide
All phones (v/tty)

Consortium for Appropriate Dispute Resolution in Special Education (CADRE)
(541) 686-5060
www.directionservice.org