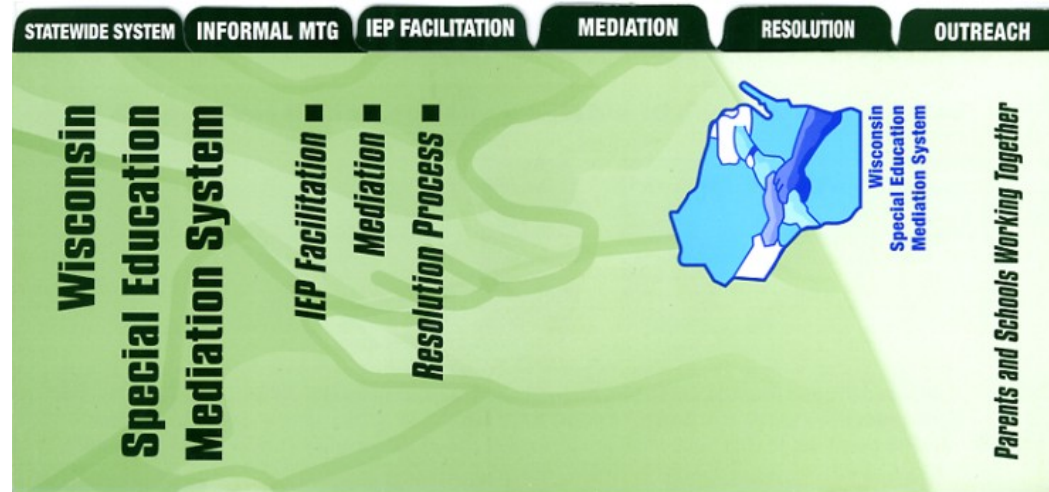


WI Special Education Mediation System: Dispute Resolution Options



STATEWIDE SYSTEM

- **WSEMS Partners**



- **Jan Serak**
Parent & Co-Director,
WI FACETS
- **Nissan Bar-Lev**
Special Education
Director, CESA #7
- **Nina Meierding**
Professor, Attorney
and Mediator

STATEWIDE SYSTEM

STATEWIDE SYSTEM

INFORMAL MTG

IEP FACILITATION

MEDIATION

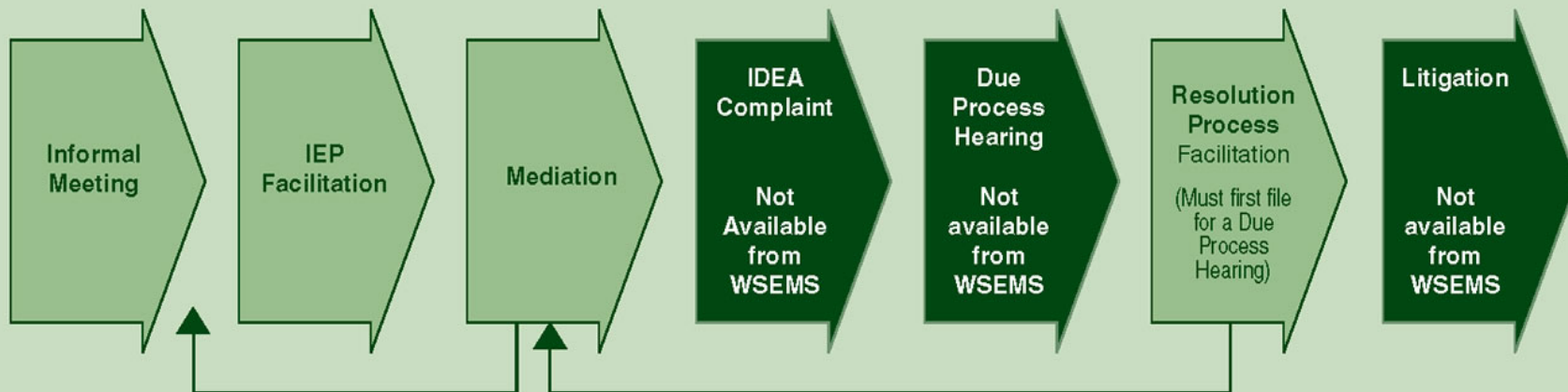
RESOLUTION

OUTREACH

STATEWIDE SYSTEM

STATEWIDE SYSTEM

Dispute resolution options available to parents and schools



Choosing the **light green** options gives parents and schools more control over the outcome. For more information about the IDEA Complaint and Due Process Hearing options, contact the Wisconsin Department of Public Instruction at (608) 266-1781, or toll free 1-800-441-4563.

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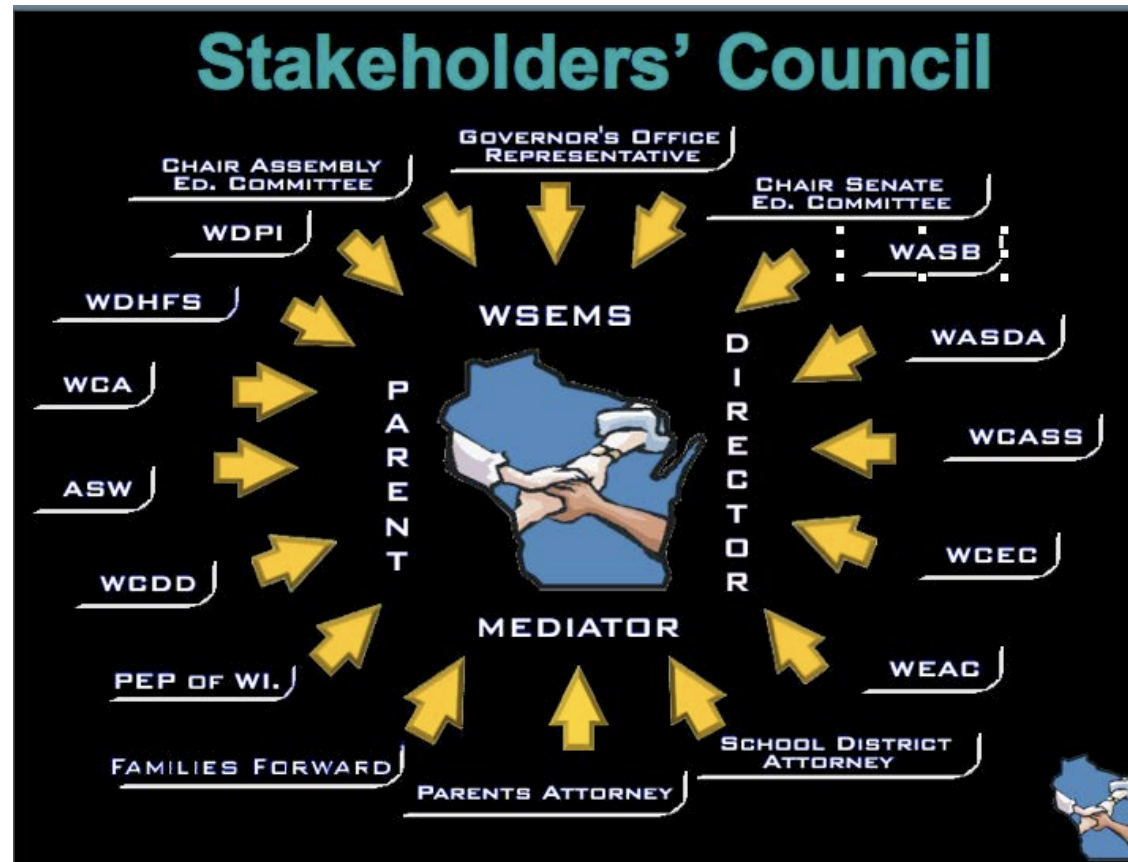
IEP FACILITATION

MEDIATION

RESOLUTION

OUTREACH

STATEWIDE SYSTEM



STATEWIDE SYSTEM

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MEDIATION

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WSEMS Roster of Mediators/Facilitators

- **WSEMS roster**
 - ✓ Selection
 - ✓ Impartiality
 - ✓ Professional diversity

STATEWIDE SYSTEM

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➤ When Issues Arise

- ✓ Communicate right away
- ✓ Schedule informal meeting
- ✓ Prepare for the meeting



INFORMAL MTG

➤ At the meeting

- ✓ Listen actively, acknowledge the barriers
- ✓ Explain your perspective, ask questions
- ✓ Search for interests, analyze options
- ✓ Discuss next steps



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MEDIATION

RESOLUTION

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INFORMAL MTG

➤ Dealing with emotions at the meeting

- ✓ Describe concerns
- ✓ Bring someone with you
- ✓ Comment on the positive
- ✓ Try an apology
- ✓ If issues not resolved...



INFORMAL MTG

STATEWIDE SYSTEM

INFORMAL MTG

IEP FACILITATION

MEDIATION

RESOLUTION

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IEP FACILITATION

- **What is IEP Facilitation?**
 - ✓ Option for early conflict resolution
 - ✓ Used at any IEP meeting
 - ✓ Facilitator focuses on the IEP process



IEP FACILITATION

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IEP FACILITATION

MEDIATION

RESOLUTION

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IEP FACILITATION

➤ How to Request IEP Facilitation?

- ✓ Joint or individual request
- ✓ Neutral intake system
- ✓ Screening process
- ✓ Data trends

Wisconsin Special Education Mediation System (WSEMS)
Request for a Facilitated IEP Meeting

Complete and submit one (1) signed copy. Retain a copy for your records. Submit signed form to:
WISCONSIN SPECIAL EDUCATION MEDIATION SYSTEM
 Bureau Mediation Services
 PO BOX 107
 Hartland, WI 53209-0107
 (Toll free): 1 - 888 - 266 - 3857 FAX: 1 (262) 536-1348

Instructions

1. Either the parent or school district may initiate the facilitated IEP process by completing this form and sending or faxing the completed form to the contact information provided above.
2. Both the parents and school district may jointly complete one form. This form should be sent or faxed to the contact information provided above. WSEMS, with input from the parties, will appoint a facilitator for the IEP meeting from a list of trained professionals.
3. Parties should try and contact WSEMS at least two weeks prior to the IEP meeting. Both parties must agree to the IEP facilitation in order for the process to take place. WSEMS will keep the parties notified about the progress of the request.

We understand and agree to the following:

1. We are requesting that the WSEMS appoint a neutral facilitator from its roster.
2. We understand that the WSEMS pays the fees of the facilitator.
3. We understand that the signing of this request gives the facilitator access to student records during the facilitation process.
4. We understand that the facilitator is not a member of the IEP team.
5. We understand that the facilitator cannot provide legal advice to any participant.

GENERAL INFORMATION

Name of School District Administrator			Name of Student		Date of Birth
Name of School District			Name of Parent/Guardian		
Address			Address		
City	State	Zip	City	State	Zip
Telephone Area/No.			Telephone Area/No. (Daytime Telephone)		

SIGNATURES

We understand that Facilitated IEP is a voluntary dispute resolution option. We understand and agree with the five (5) terms noted above.

Signature of School District Administrator	Date Signed	Signature of Parent/Guardian	Date Signed
--	-------------	------------------------------	-------------

The WSEMS is funded by the Wisconsin Department of Public Instruction through an IDEA Secretary Grant.

IEP FACILITATION

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MEDIATION

RESOLUTION

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MEDIATION

- What is mediation?
- When is mediation right for you?
- Role of mediator
- What happens in a typical mediation session?



MEDIATION

STATEWIDE SYSTEM

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IEP FACILITATION

MEDIATION

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MEDIATION

How to Request Mediation?

- Joint or single request
- Description of dispute
- Sign/fax/mail
- Neutral intake system
- Data trends

Wisconsin Special Education Mediation System (WSEMS)
REQUEST FOR SPECIAL EDUCATION MEDIATION

INSTRUCTIONS: Complete and submit one (1) signed copy. Retain a copy for your records. Submit signed forms to:
 WISCONSIN SPECIAL EDUCATION MEDIATION SYSTEM
 Bureau Mediation Services
 PO Box 107
 Hartland, WI 53029-0107
 (Toll Free) 1-800-288-1807 FAX: 1 (202) 536-1348

1. Either the parent or school district may initiate the mediation process by completing this Request for Special Education Mediation form and sending the completed form to WSEMS.

2. Both the parent and school district administrator may jointly complete a single Request for Special Education Mediation form. The form should be sent or faxed to WSEMS at the address or phone number above. WSEMS will appoint a mediator who will arrange mediation at a location, date, and time convenient to both parties.

3. If a request is received, WSEMS will notify the other party in writing of the request for mediation with a request that the other party notify WSEMS within five (5) business days after receiving the notice of their willingness to participate in mediation. If the responding party agrees to mediate, WSEMS will appoint a qualified mediator to arrange a mediation session. If WSEMS does not receive a timely response or if the other party notifies WSEMS of their refusal to participate in mediation, WSEMS will so notify the requesting party.

MEDIATION REQUEST

We wish to request that WSEMS appoint a mediator who will convene a special education mediation session regarding the following unresolved issue(s):

GENERAL INFORMATION

Name of School District Administrator (Superintendent) _____ Name of Student _____ of _____ Date of Birth _____

Name of School District _____ Name of Parent/Guardian _____

Address _____ Address _____

City _____ State _____ Zip _____ City _____ State _____ Zip _____

Telephone Area/No. _____ Telephone Area/No. (Daytime Telephone) _____

SIGNATURES

The undersigned mediator is a voluntary dispute resolution system available to encourage early resolution of issues whenever possible. The undersigned mediator may not write or alter the right to a formal due process hearing. The undersigned mediator is confidential and the information will not be shared with others.

Signature of School District Administrator (Superintendent) _____ Date Signed _____ Signature of Parent/Guardian _____ Date Signed _____

The Wisconsin Special Education Mediation System (WSEMS) is funded by the Wisconsin Department of Public Instruction through an IDEA discretionary grant.

MEDIATION

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MEDIATION

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RESOLUTION

- **What is the Resolution Process?**
 - Concept and timelines in IDEA 2004
 - Held with or without a neutral
 - How to obtain a neutral facilitator



OUTREACH

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MEDIATION

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RESOLUTION

➤ What is the Resolution Process? (continued)

- ✓ Participants
- ✓ Waiver options
- ✓ Forms
- ✓ Confidentiality
- ✓ Signed agreement



OUTREACH

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OUTREACH

- **WSEMS Team**
- **Statewide Outreach**
- **Training Opportunities**



OUTREACH

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➤ Website

- ✓ WSEMS info & forms
- ✓ Bios of neutrals
- ✓ FAQ on mediation
- ✓ Spanish translation
- ✓ Resources

Wisconsin Special Education Mediation System (WSEMS)

The Wisconsin Special Education Mediation System (WSEMS) helps parents and schools resolve disputes about special education.

Friday October 05, 2007
Good Evening !

IEP Facilitation
Resolution Meeting Training Manual
Contact WSEMS
Contacte WSEMS Español
About WSEMS
Mediators/Facilitators
Mediadores en Español
Frequently Asked Questions
Mediation

About WSEMS
Frequently Asked Questions
Training
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Mediators/Facilitators
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<http://wsems.us/>