UNDERSTANDING THE MEDIATION PROCESS

Mediation is an effective means that voluntarily brings people together to resolve a dispute. The following information was prepared to help Superintendents, Special Education Coordinators, and other pertinent staff make decisions to assist in a resolution of the dispute that appropriately benefits the student.

• Decision to Mediate:
  Is the situation one in which this process would more likely lead to a positive outcome for both or all parties?

• When to Mediate:
  The best time to settle a dispute is early on in the process;
  Parameters regarding timelines for mediations only exist within the complaint and due process hearing processes.

• Who Should Be At the Mediation Table:
  The mediator;
  The complainant;
  The respondent (the person who is involved in the complaint should be there. Also someone who is authorized to make decisions should be at the mediation);
  Representatives (representation should not be denied to the parties involved but should be kept to a minimum).

• Components of the Mediation Process:
  Mediator’s opening statement;
  Remarks by the parties;
  Joint discussion;
  Caucus;
  Reconvening the parties;
  Agreement writing.

This information is provided as a general guide to understanding Mediation, under IDEA, in the State of Alabama. It is not provided as specific legal advice.