

Quick Tips

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Essential information and/or interesting facts from Special Education Services, Alabama State Department of Education.

Special Education Services
Alabama State Department
of Education
PO Box 302101
Montgomery, AL 36130-2101
334.694.4782
speced@alsde.edu

for Dispute

UNDERSTANDING THE MEDIATION PROCESS

Mediation is a confidential, effective process 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 in the process.

Parameters regarding timelines for mediation 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 in writing

Mediation agreements are legally binding and enforceable in state or federal court.

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.