

WI Special Education Mediation System: Dispute Resolution Options

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STATEWIDE SYSTEM

• WSEMS Partners



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Special Education
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- **Nina Meierding**
Professor, Attorney
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STATEWIDE SYSTEM

STATEWIDE SYSTEM INFORMAL MTG IEP FACILITATION MEDIATION RESOLUTION OUTREACH

STATEWIDE SYSTEM

STATEWIDE SYSTEM

Dispute resolution options available to parents and schools

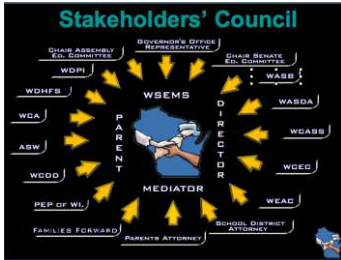


Choosing the light green options gives parents and schools more control over the outcome. For more information about the IDEA Complaint and Due Process Hearing options, contact the Wisconsin Department of Public Instruction at (608) 256-1781, or toll free 1-800-441-4563.

STATEWIDE SYSTEM

STATEWIDE SYSTEM INFORMAL MTG IEP FACILITATION MEDIATION RESOLUTION OUTREACH

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STATEWIDE SYSTEM

WSEMS Roster of Mediators/Facilitators

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

STATEWIDE SYSTEM

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INFORMAL MTG

- **When Issues Arise**
 - ✓ Communicate right away
 - ✓ Schedule informal meeting
 - ✓ Prepare for the meeting



INFORMAL MTG

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INFORMAL MTG

➤ At the meeting

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



INFORMAL MTG

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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

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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

➤ How to Request IEP Facilitation?

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

Request for a Facilitation for IEP Meeting

1. I am requesting a facilitation for my child's IEP meeting because:

1. My child's IEP is not being implemented.
2. My child's IEP is not being reviewed on time.
3. My child's IEP is not being updated as needed.
4. My child's IEP is not being followed.
5. My child's IEP is not being reviewed on time.

2. I am requesting a facilitation for my child's IEP meeting because:

1. My child's IEP is not being implemented.
2. My child's IEP is not being reviewed on time.
3. My child's IEP is not being updated as needed.
4. My child's IEP is not being followed.
5. My child's IEP is not being reviewed on time.

IEP FACILITATION

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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

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MEDIATION

How to Request Mediation?

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

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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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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OUTREACH

➤ Website

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

