

# WHO TO CONTACT

## OAHU

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## MAUI, MOLOKAI, and LANAI

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# SPECIAL EDUCATION MEDIATION



## Preventing & Resolving Conflicts Involving the Education of Students with Special Needs

Special Education Section  
Office of Curriculum, Instruction and Student Support  
Department of Education • State of Hawaii  
July 2007

## WHAT IS MEDIATION?

Mediation is a voluntary process that resolves issues quickly amongst disputing parties. The process is much less adversarial than a due process hearing. With the assistance of an impartial, independent mediator who guides the process, parents and schools address special education concerns to resolve disagreements and to prevent disputes from escalating. The parties meet at a mutually agreeable time and place. During the mediation session, participants may meet in separate rooms and may also meet in the same room to discuss issues.

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## WHY SHOULD I MEDIATE?

- Mediation provides an opportunity for parents and schools to calmly craft agreements that meet the specific needs of the student.
- There is no cost to parent, school or district.
- Mediation is usually completed within one to six hours.
- Mediators will not force you into an agreement. They assist parents and schools in reaching their own decisions.
- If mediation is not successful, a parent or school may still seek other formal or informal proceedings.
- When mediation is successful, a written agreement is created, signed by all participants and enforced in a court of law.
- Mediation can repair and strengthen relationships between parents and schools and help them focus on the needs of the student.



## WHO ARE THE MEDIATORS?

Mediators are trained, experienced professionals, assigned according to their availability, by the community mediation centers throughout the State.



## WHO PARTICIPATES IN THE MEDIATION?

- The parties decide who will participate. Usually parents, school administrators, and school district personnel participate.
- It is not necessary for the entire Individualized Education Program (IEP) team to participate.
- Attorneys or advocates may participate but are not required.

## WHEN SHOULD I MEDIATE?

Mediation may occur at any time, but it is especially helpful when:

- Talking together is difficult
- Parents and school disagree on issues
- Emotions are high or meetings aren't productive

## HOW DO I SCHEDULE MEDIATION?

Anyone may contact a community mediation center directly to request information or schedule a mediation at a time and place that is convenient for everyone.

A request for mediation form may be completed by the school and faxed to the community mediation center on the island where the school is located.