



Arc Guide to Special Education Mediation

What is special education mediation?

The Minnesota Department of Education (MDE) describes mediation as, “an informal, voluntary process to help resolve disagreements about a student’s special education program. An impartial third party (mediator) helps parents and schools work toward a solution to their differences while keeping the focus on the student’s needs”.

Most Individualized Education Program (IEP) team decisions are made at the IEP meeting. However, when the team members cannot agree on certain issues, mediation may be beneficial. The goal of mediation is to work toward a solution that both parent and school agree on: a win-win for both sides.

The mediator does not make decisions in this process.

Mediation is:

- A voluntary process for the parent and school that encourages communication. Both the parent and the school must agree to mediate.
- A place where facts, feelings and desired outcomes are discussed and decided.
- Provided at no cost to the parent and school through the Minnesota Department of Education Special Education Mediation Service (MNSEMS).

Mediation can be beneficial when there are:

- General concerns on the IEP.
- Differing opinions on the student’s needs, services, etc.
- Issues or problems related to communication, trust, relationships, etc.

How do I request mediation?

The parent or the school can request mediation. Below is a link to MNSEMS. In the middle of the page there is a link to the form to request mediation and explains how the process works.

<https://education.mn.gov/MDE/fam/sped/conf/med/index.htm>



What happens next?

- A staff person at MNSEMS finds out if the parent and school are willing to mediate.
- If they do not agree to mediate, the team can proceed with the regular IEP process or look at another form of alternative dispute resolution such as facilitated IEP.
- If both the district and the parent agree to mediation, they are asked when they can meet and a mediator is assigned.
- The mediation usually occurs within 2 to 4 weeks at a location agreed upon by both the parent and the district.
- The parties must agree on who will attend. Someone from the school district who has the authority to make decisions and to agree to services must attend.

For further information or advocacy services, contact The Arc Minnesota at 952-920-0855 or toll-free at 833.450.1494 or visit www.arcminnesota.org. (Please note: *This document is not legal advice, and should not be construed as such. Thus, no information herein should replace the sound advice of an attorney.*)

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