HIDOE’s Mediation Model Form, Brochure & FAQs

Invitation for Feedback

SEAC Meeting March 10, 2023
Peace is not the absence of conflict, but the ability to cope with it.

Mahatma Gandhi
Materials for Today’s Presentation

- Mediation Model Form
- Mediation Brochure
- Mediation FAQs
- Feedback Form
What is Mediation?

- An impartial and voluntary problem-solving process that brings together parties to resolve disputes related to special education.
- Facilitated by an impartial mediator.
- At no cost to both parties.
  - The Department bears the cost.
- Discussions during mediation are confidential.
The Department makes mediation available through the Mediation Center of the Pacific (MCP).

- MCP is a 501(c)(3) not for profit corporation that has been helping people in Hawaii prevent and resolve conflict since 1979.
- MCP coordinates the scheduling of all special education mediations throughout the state of Hawai‘i.
  - Email: mcp@mediatehawaii.org
  - Phone: 808-521-6767
  - Website: www.mediatehawaii.org
Requesting Mediation

To request mediation, you may:

2. Contact MCP at 808-521-6767, or
   E-mail mcp@mediatehawaii.org
Model Form

Unlike the State Written Complaint and Due Process model forms, IDEA and HAR Chapter 60 do not require any specific information for a mediation model form.
# IDEA MEDIATION REQUEST FORM

To request mediation services, complete this form and fax (808-538-1454) or email it to The Mediation Center of the Pacific at: mep@mediatehawaii.org.

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>Date of Due Process Request (if filed):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Student:</td>
<td>Sex: Date of Birth:</td>
</tr>
<tr>
<td>School: District:</td>
<td></td>
</tr>
</tbody>
</table>

## School Information

<table>
<thead>
<tr>
<th>Principal:</th>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>Relationship to student:</td>
</tr>
<tr>
<td>Phone:</td>
<td>Address:</td>
</tr>
<tr>
<td>FAX:</td>
<td>Phone:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contact Person:</th>
<th>Name:</th>
</tr>
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<tbody>
<tr>
<td>Position:</td>
<td>Relationship to student:</td>
</tr>
<tr>
<td>Address:</td>
<td>Address:</td>
</tr>
<tr>
<td>Phone:</td>
<td>Phone:</td>
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What are the issue(s) in dispute?

Has a request for a Due Process Hearing been filed on the issue(s)? [ ] Yes [ ] No

If “Yes”, please attach a copy of the request to this form.

For Mediation Center Use

<table>
<thead>
<tr>
<th>Date of Referral:</th>
<th>Date of Service:</th>
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<tbody>
<tr>
<td>DISPOSITION:</td>
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Mediation:

1. Parent(s): No contact with Mediation Center
2. Parent(s) declined mediation
3. Case mediated with no agreement
4. Case mediated with agreement reached
5. DOE: No show for mediation
6. Parent(s): No show for mediation

Distribution: The Mediation Center of the Pacific
Parent Monitoring and Compliance Branch specialcomplaints@h12.hi.us

June 2021
Special Education Mediation
Resolving Conflicts Between Parents and Schools

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) encourages families and schools to collaborate and work together as a united support for each student. When disagreements arise between families and schools, IDEA promotes the use of mediation as a means for working through the issues underlying the conflict. The focus is on working together to find a mutually agreeable solution that addresses the educational needs of the student.

A parent or a child with a disability or a public education agency may request mediation as a way to resolve disputes involving any matter that arises under the IDEA or implementation of its regulations. [34 C.F.R. § 300.506].

Mediation is:

<table>
<thead>
<tr>
<th>Free</th>
<th>Confidential</th>
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<tbody>
<tr>
<td>Guided by an impartial third party who:</td>
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<tr>
<td>• Establishes open communication</td>
<td></td>
</tr>
<tr>
<td>• Ensures concerns are heard</td>
<td></td>
</tr>
<tr>
<td>• Encourages mutual understanding of the others’ perspectives</td>
<td></td>
</tr>
<tr>
<td>• Facilitates problem-solving</td>
<td></td>
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<tr>
<td>• Empowers schools and families to come to mutually agreeable solutions</td>
<td></td>
</tr>
<tr>
<td>• Focuses on preserving and strengthening relationships between families and schools</td>
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</table>

For more information on mediation, please visit our website: [https://bit.ly/SPEDMediationFAQs](https://bit.ly/SPEDMediationFAQs)

You may also contact the Complaints Management Program via email at specialcomplaints@k12.hi.us or phone at 808-307-3600.

Monitoring and Compliance Branch • Office of the Deputy Superintendent • March 2023
Current FAQs Document

Linked Here

Hawaii State Department of Education
Complaints Management Program

Special Education Mediation
Resolving Conflicts Between Parents and Schools
Frequently Asked Questions

Jump to each question:

WHAT IS MEDIATION?
WHY SHOULD I MEDIATE?
WHO IS THE MEDIATOR?
WHO PARTICIPATES IN THE MEDIATION?
HOW LONG DOES MEDIATION TAKE?
WHERE IS MEDIATION HELD?
WHEN SHOULD I MEDIATE?
WHAT IS A WRITTEN MEDIATION AGREEMENT?
HOW DO I SCHEDULE MEDIATION?
HOW DO I PREPARE FOR MEDIATION?

WHAT IS MEDIATION?
A parent of a child with a disability or a public education agency may request mediation as a way to resolve disputes involving any matter that arises under the IDEA or implementation of its regulations. [34 C.F.R. § 300.506].

Mediation is a confidential and voluntary problem-solving process conducted in a structured environment with an impartial third party, a mediator, who facilitates open communication while working toward a mutually agreeable solution to resolve a disagreement between the school and parents. The focus is on helping the participants gain a better understanding of each other’s perspectives while working together to find a solution that meets the educational needs of the student.

March 2023
Thank you

We Value Your Feedback.

Open Comment Period
● March 10-31
● Feedback Form

You may also submit any additional feedback to:
● specialedcomplaints@k12.hi.us
● 808-307-3600