

Get Into the Act

The nation's newly revised special education law, the *Individuals with Disabilities Education Improvement Act* (IDEA) of 2004, encourages early resolution of disputes.

The revised IDEA requires school districts to meet with parents within 15 days after notice of a complaint to attempt a resolution. If the parties agree, they can opt for mediation.

The MSEMP can help families and educators meet the intent and requirements of IDEA.

Why Mediation?

The IDEA recognizes that resolving issues through discussion can be less stressful and less costly than resolving them through courts and hearings. A brief comparison of these processes suggests why.

Variables	Court	Hearing	Mediation
Decision Maker	Judge	Hearing Officer	Parties
Process	Formal	Formal	Informal
Time	2+ Years	6 Months	Less than 1 Month
Cost	Substantial	Up to \$40,000	Free through the MSEMP
Results	Win/Lose	Win/Lose	Win/Win

Under the law, a school district has 30 days after receiving a complaint to resolve the matter before the complaint is eligible for a hearing. Through the MSEMP, where more than 80 percent of disputes result in agreement, the average dispute settles in less than 1 month.

In the life of a child, time matters.

Michigan Special Education Mediation Program (MSEMP)

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STATEMENT OF COMPLIANCE WITH FEDERAL LAW

The Michigan Department of Education complies with all Federal laws and regulations prohibiting discrimination, and with all requirements of the U.S. Department of Education.

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Michigan Special Education Mediation Program

Helping parents, educators, and service providers develop productive relationships for resolving issues in early intervention and special education

Call 1-800-8RESOLVE
www.cenmi.org/msemp



Office of Special Education and Early Intervention Services

Building Blocks



An important aspect of educational planning for infants through young adults (ages birth to 26*) with special needs is communication. Your ability as a parent, educator, or service provider to communicate productively when creating and implementing an

Individualized Family Services Plan (IFSP) or Individualized Educational Program (IEP) can affect the quality of a young person's development and education.

Having a voluntary, safe, non-adversarial forum for discussion is key to resolving difficult issues that may arise in planning. In a "safe" forum, participants can express their concerns and offer solutions privately and confidentially with a focus on reaching mutual agreement.

The MSEMP can help you:

- ✗ Reduce or avoid conflict.
- ✗ Reach decisions more quickly.
- ✗ Save money over costly hearings.
- ✗ Establish productive relationships.

MSEMP Services

The MSEMP provides services in the earliest stages of intervention and educational planning and beyond.

- ❑ **IFSP and IEP facilitation.** Facilitation can help the parties develop the best intervention plan or educational program for the circumstances. A neutral facilitator helps the participants work through communication issues so the participants can focus on and resolve the issues. A successful facilitation can result in a signed IFSP or IEP agreeable to all parties.
- ❑ **Mediation.** Mediation aids the parties in resolving disputes that may arise from IFSP or IEP implementation. Mediation is voluntary and confidential. The neutral mediator fosters a cooperative discussion. The parties alone make the final decisions. If they cannot reach a decision, the parties can move on to the hearing process. A successful mediation can result in a written, signed agreement that can be incorporated into an IFSP or IEP.
- ❑ **Training.** Learning collaborative communication and dispute resolution techniques can make parents, educators, and service providers more effective in planning and decision making. Workshops can be adapted to the particular needs of organizations, staff, or parent groups.
- ❑ **Outreach.** The more people know about facilitation and mediation services, the more they can benefit from them. Presentations can be made around the state, supported by materials that explain the benefits of collaborative methods.

When To Call

The MSEMP services are provided at no cost to families and educators for early intervention or special education disputes at any time. They may address issues relating to:

- ✗ IFSP or IEP Team meetings
- ✗ Eligibility for services
- ✗ Evaluation results
- ✗ Service offerings and delivery
- ✗ Communication barriers
- ✗ Relationships

The MSEMP is a federally funded project of the Michigan Department of Education, Office of Special Education and Early Intervention Services.

For more information call:

1-800-8RESOLVE

Why Use the MSEMP?

- ✗ Successful track record
- ✗ Professionally trained mediators
- ✗ Free service to families and educators

MSEMP Vital Statistics

- ✗ Mediation success rate: 80% +
- ✗ User satisfaction rate: 90% +
- ✗ Average disposition time: less than 1 month

* Early intervention (Part C of the IDEA) services are available to qualifying infants, toddlers, and young children (up to age 3) and their families. Special education (Part B of IDEA and the Michigan Mandate for Special Education) services are available to qualifying infants through young adults (up to age 26).