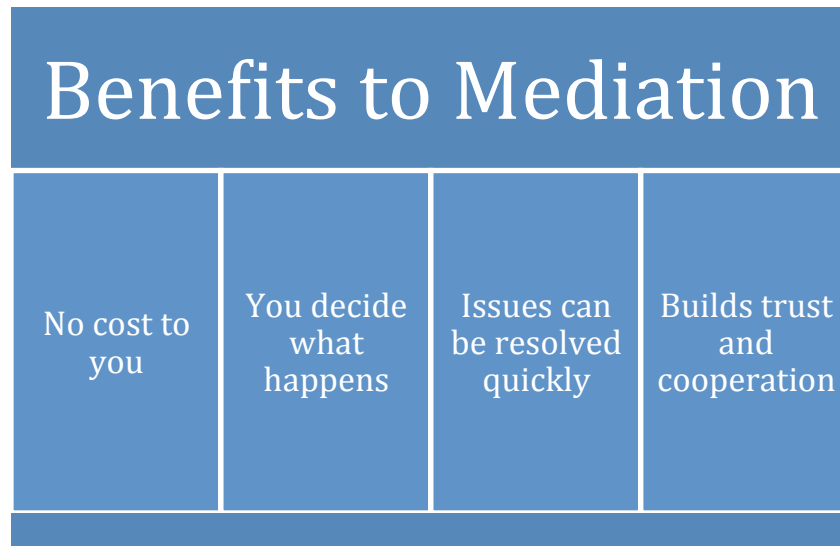


## MEDIATION TIPS SHEET:



### What happens in mediation?

- Families and districts will each have a voice in this voluntary process and no decision can be reached in mediation without the agreement of both the family and the district.
- The mediator will be an impartial person who guides both parties in the mediation process to work together to resolve disagreements. The mediator can ask clarifying questions and help talk about flexible and creative ways to solve the issues.
- The mediator does not make decisions or give legal advice.
- If an agreement is reached, the family and district will decide the content of the agreement and they will be responsible for following the terms of the agreement. The agreement should have a start date and an ending date.
- Under state law (Wis. Stat. §115.797), mediation cannot be recorded by anyone.
- **Who will be there?**
- Wisconsin state law states that the parents or an adult student and two people from the district can be at mediation. You should give the names to the Intake Coordinator and/or the mediator of anyone else you would like to be there, and the System will confirm that everyone is in agreement as to who will attend. You can ask family members and support people (such as advocates, attorneys, friends, social workers, or people who work with the student in or out of the school setting.) The mediator will be there to help everyone work together.
- Students can participate when age appropriate. While adults create the agreements in mediation, a student's input can be vital to the success and the follow through of the agreement. Students can learn to speak about their own needs and practice their advocacy skills as they help parents and districts in the educational decisions that impact their life.

- **Do I need to bring anything?**
- You should bring documents or factual information you think are relevant to the student's education.
- Make a list of the issues you are hoping to resolve in mediation and what you believe are different ways to resolve these issues. A workbook to help you prepare for mediation is available on our website and the link is below.
- **What are some good things to know before starting a mediation session?**
- The Wisconsin Special Education Mediation System is funded through a grant from our state educational agency, the WI Dept. of Public Instruction, and offers mediation and facilitation services at no cost to families or school districts.
- Mediation can provide you and the district a safe place to talk. In Wisconsin, mediation is confidential and anything that is said or offered cannot be brought up in further civil legal proceeding. Please contact our office for more information to learn more about the confidentiality protections.
- Before the mediation starts, the mediator will ask everyone to sign the Agreement to Mediate. You may review a copy of this Agreement at any time on our website in the forms section or contact our office to mail you a copy.

### **What if I have more questions?**

- For information on the mediation process:

Gia Pionek, System Administrator – Wisconsin Special Education Mediation System

[gia@wsems.us](mailto:gia@wsems.us)

Phone: 888-298-3857

### **For information on Special Education:**

Wisconsin Department of Public Instruction: <https://dpi.wi.gov/sped>

WI Department of Public Instruction Special Education Team 1-800-441-4563

### **Resources on the WSEMS website:**

<https://www.wsems.us/resources/>

Videos: <https://www.wsems.us/multimedia/videos/>

WSEMS Preparation Manual:

<http://www.wsems.us/wp-content/uploads/2016/03/2016-Mediation-Manual.pdf>

Special Education in Plain Language:

<https://dpi.wi.gov/sites/default/files/imce/sped/pdf/spec-ed-plain-lang-english.pdf>