

## How to Prepare for Mediation

The purpose of mediation is to bring the parents and school representatives together with a mediator to try to resolve a dispute. Mediation is about resolving differences and finding workable solutions.

### Your Role in Mediation

- Mediation will only be as successful as you make it. Here are some suggestions:
  - Decide what the issues are for you in this dispute.
  - Clearly define these issues from your point of view.
  - Listen respectfully to the other side's point of view.
  - Be open to new ideas when looking for solutions.
  - Work with the other parties to determine which solution is best.
- The mediation session may last five or six hours. Please plan to stay this long and bring your calendar in case another session needs to be scheduled.
- If you have any documents/papers/reports that have not been shared yet and you might want to use, bring them with you and make copies for others.
- Come with an open mind and a willingness to work on a resolution.

### What Will Happen at the Mediation Session?

#### ***Introduction and Sharing of Points of View/Defining Issues***

First, the mediator will talk about his or her background and neutral role, the Agreement to Mediate, and what will happen at mediation. If the student is present, the mediator may interview the student. If the student is not present, the mediator may ask parties to share the student's background, strengths, interests, and needs so s/he can get to know the student. Each party will have a short period of time to share their view of the dispute. You should be ready to talk about what the issues are and what you think should happen. You should also be willing to listen to the other side and see how their views may differ.

#### ***Separate Meetings and Discussion of Options for Resolution***

At some point, the parties may have separate meetings, with or without the mediator, to discuss the dispute and explore issues that might not have been brought out in the joint session. This is called a caucus. The mediator will then encourage all parties to look at possible ways to resolve the issues at hand. As there is usually more than one issue to work on and more than one solution, this part of mediation requires participants to be creative, flexible, and willing to talk about more than just the solutions they brought into mediation.

## **Agreement**

When you reach an agreement, it will be written on a Mediated Agreement form (an optional form is provided by MDE). The mediator will assure it is clearly written and understood before asking the parties to sign it. Both parties will receive a copy of the agreement and everyone is required to follow the terms of the agreement.

## **Things to Do before Mediation**

1. Review the student's evaluation information or IEP.
2. Think about how you can clearly describe the situation so that the other side can understand your point of view.
3. Determine what is important to you. From your perspective, what would be the best possible outcome? Why? What would be an acceptable outcome?
4. Think about what the other side might want for an outcome. What might they accept? What can you give them?
5. Think about possible solutions and plan to share them during the mediation.
6. Think about what happens if you are unable to reach an agreement through mediation.

## **Things to Do in Mediation**

1. When it is your turn, present your information in a clear manner so your views are understood.
2. Listen respectfully while the other side presents their information. Work to understand their perspective even though it may differ from your own. Remember, you do not have to accept the other side's point of view as the only perspective; rather, acknowledge that it exists and is different from your own.
3. Keep an open mind and be willing to work with the other side to problem-solve. Remember, you chose mediation knowing you and the other party would make the decisions. It is more likely you will agree to something if you do not go out of your way to "prove something" to the other side.
4. Brainstorm with the other party for potential solutions that meet both of your interests. Evaluate them together until you reach a mutually acceptable solution. Remember, the mediator is not a decision maker and will not tell you what to do.
5. Have realistic expectations regarding your case.
6. Be patient and stick to the task.