



# WHAT IS MEDIATION?

## KNOW YOUR SPECIAL EDUCATION RIGHTS: A GUIDE FOR PARENTS AND STUDENTS IN KANSAS

This flyer is part of a series of one-page flyers covering over 30 Special Education topics. They are designed to give you “just in time” information for each step of the Special Education process. You can download the whole series in the form of an extensive booklet, or simply choose the topics and view the individual flyers as you need them. See the whole series here.



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Mediation brings in a third party to guide you and the school during a disagreement regarding your child’s special education services. The mediator is neutral. They are trained to help you and the school come to an agreement. The State of Kansas pays for this service. You do not have to pay.

The parent(s) and the school have the choice to participate or not. Mediation only happens if both sides agree to do it.

## When should I request mediation?

You should first try to solve the disagree with the school or district. Then, you may request mediation if you do not agree with what the school is or is not providing for your child. This could be related to your child’s IEP, evaluation, placement, or another special education issue.

Mediation should be convenient. It should be provided in a timely manner. It also must take place somewhere that works for you and the school.

## How does mediation end?

If an agreement is reached, the mediator will put the agreement in writing and everyone will sign it. If an agreement is not reached, the mediation ends. The mediator will declare that the two sides could not agree. Anything said in a mediation is confidential. It cannot be used as evidence in a due process hearing.

## Should I request mediation or a due process hearing?

It is generally good to request mediation first. Then, you may not need to request a hearing. This can be helpful because it will take less time and less money. It is also friendlier. Both sides can offer solutions and decide on an agreement. In a hearing, it is the hearing officer that makes the decision. You may not like the decision of the hearing officer. Mediation can also strengthen the relationship between you and the school. However, mediation can also take place while you wait for a due process hearing.

## How do I request mediation?

You should first ask the school if they will participate in mediation. Then, you can fill out a form to request it. This is a form from the Kansas State Department of Education. You can ask the school for this form. You can also find it at the link below.



[Request for Mediation](https://tinyurl.com/f8pjss6b)  
<https://tinyurl.com/f8pjss6b>

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## Sources & Additional Resources:



[Kansas Special Education Process Handbook, Chapter 10.](https://tinyurl.com/442w2dt3) Kansas State Department of Education.  
<https://tinyurl.com/442w2dt3>

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[Dispute Resolution.](https://tinyurl.com/3uj4583v) Kansas State Department of Education.  
<https://tinyurl.com/3uj4583v>

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