

**Who can request Mediation?**

The filing party may indicate their willingness to participate in mediation. Mediation is voluntary, so both parties must agree to attempt to resolve their disputes in a non-adversarial manner using a neutral mediator. The MDOE will assign an impartial mediator to facilitate the mediation process.

**What issues can be addressed?**

Mediation is available to resolve disputes concerning services for a student with disabilities or other matters protected by the Individuals with Disabilities Education Act (IDEA) and Maine Unified Special Education Regulations (MUSER).

**How does it work?**

The mediator will explain the process of Mediation and discuss the guidelines. Each party will have an opportunity to explain their point of view and to discuss ideas for resolving differences. The mediator remains neutral while assisting the parties in clarifying the issues, needs, and individual interests the mediator guides the communication and discussion rather than determining who is right or wrong. Discussions that occur during mediation shall be confidential. Typically, mediations are scheduled within 30 calendar days of a mediation request.

**Stand Alone Mediation**

Stand Alone Mediation is a voluntary option for mediation not associated with a Due Process Hearing or State Complaint Investigation.

**Who decides the outcomes?**

The goal of mediation is to help the parties reach their own mutually acceptable resolution of the disputed issues related to a student's special education services. Therefore, the agreement is controlled by the parties themselves. To be enforceable, any agreements reached must be reduced to a written settlement agreement and signed by both parties during the mediation.

If any dispute remains unresolved following mediation, all parties retain their right to continue with a State Complaint Investigation and/or Due Process Hearing request.

**What does it cost?**

Mediation is a free service. The MDOE provides professional mediation at no cost to the parties.

**Is there an appeal process?**

Any agreement signed by both parties during a mediation is legally binding. If a party alleges that a settlement agreement has been breached, that party may seek enforcement of the agreement in state or federal court or through the state complaint investigation process.