

# SPECIAL EDUCATION MEDIATION TOOLKIT



*A Guide for Helping Parents in  
Virginia Understand the Special  
Education Mediation Process for  
Dispute Resolution*

Since 1978, PEATC has provided tools and information to empower Virginia's students with disabilities (birth – age 22) and their families and help them navigate the special education process. PEATC promotes respectful, collaborative partnerships between parents, schools, professionals, and the community to increase the success of students with disabilities. As Virginia's **Parent Training & Information Center (PTI)**, we talk to many families who are struggling to navigate the special education system. Navigating the dispute resolution system within special education can be especially difficult.

We believe that families are their children's first and best teachers. We also believe that information and training will empower families and professionals to build strong partnerships. This toolkit, adapted in part from the Center for Appropriate Dispute Resolution's (CADRE) **IDEA Special Education Parent's Guide on Mediation** and Virginia's **Parents Guide to Special Education Dispute Resolution**, has been created to help families, and the professionals that support them, understand one of Virginia's dispute resolution processes: the special education mediation process.



**RULES**

Mediation is a dispute resolution process that can be **less adversarial** than filing an administrative special education complaint or filing for a due process hearing. Mediation is a tool that parents can use if they believe that their rights or their child's rights have been violated under federal or state special education laws and regulations and they would like to seek a solution jointly with the school division.



**LAWS**

*This Guide has been reviewed for accuracy by the Virginia Department of Education Office of Dispute Resolution and Administrative Services and the Office of Facilities and Family Engagement. We thank them for their time and effort.*



**REGULATIONS**

**IF YOU FEEL UNSURE ABOUT WHETHER OR NOT TO PURSUE MEDIATION, YOU CAN:**

Visit our website: [www.peatc.org](http://www.peatc.org) to review our Mediation fact sheet, or to review the Virginia Department of Education's [Parents' Guide to Special Education Dispute Resolution](#).

Think about why you feel you need mediation and how it may be helpful in addressing your concerns.

Think about productive solutions that will result in positive outcomes for your child. Remember that positive and collaborative relationships between families and schools are an important part of your child's success.

Contact us to talk the situation through and get guidance on possible next steps:  
Call 800-869-6782 | Email [partners@peatc.org](mailto:partners@peatc.org)

PEATC is here to help. So, if you have questions, please don't hesitate to reach out. We have bilingual staff to support our Spanish-speaking families.

# Table of Contents

02	What Is Mediation?
02	When Should I Think About Mediation?
02	What Is The Mediator's Role?
03	Who Can Request Mediation?
03	How Do I Request Mediation?
03	Is There A Deadline To Request Mediation?
03	Can I Withdraw A Request?
03	What If I Have Filed A Complaint Or Due Process?
04	Who Participates In The Mediation?
04	What Are The Benefits Of Mediation?
04	Other Things To Consider
04	What Does The Process Involve?
05	What Happens To My Child During Mediation?
05	What If Mediation Fails?
05	What If The School Does Not Carry Out The Agreement?
06	Tips On Preparing For Mediation
08	Am I Ready To Request Mediation?
12	Mediation Request Form
15	Examples Of Concerns For Mediation In K-12
17	Examples Of Concerns For Mediation In Early Childhood Special Education
18	Glossary Of Terms To Know

# What You Need to Know about Special Education Mediation

## WHAT IS MEDIATION?

Mediation is a **voluntary dispute resolution process** that brings parents and the school division together to resolve their disagreements. The parents and the school division must both agree to participate in mediation. A mediator helps the parties communicate with each other so that everyone can state their concerns and offer solutions. Here are some of the **principles of mediation** listed by the Virginia Department of Education (VDOE).

- ✓ A voluntary, non-adversarial dispute resolution process,
- ✓ Facilitated by an impartial, trained mediator,
- ✓ Focused on the child's needs,
- ✓ Seeks to minimize or avoid confrontation between the parties,
- ✓ Is held in a confidential, informal setting,
- ✓ Seeks to come to a mutually agreeable solution.

## WHEN DOES MEDIATION APPLY?

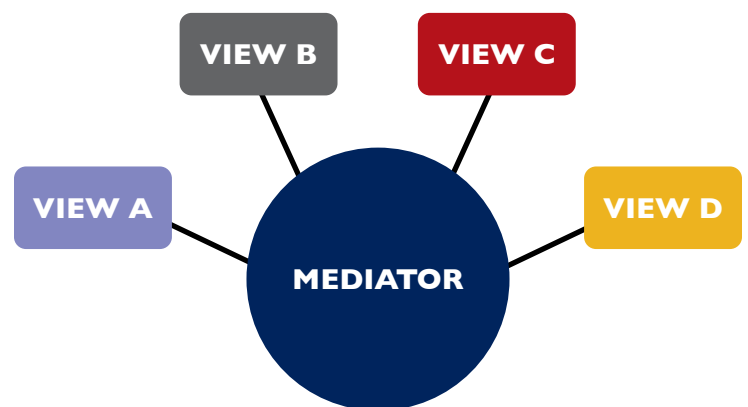
This process applies to any issue regarding a student's eligibility for special education services under an IEP or 504 plan or the provision, scope, or delivery of those services. *If your child is receiving early intervention services under **Part C of IDEA vs. Part B of IDEA** (early childhood special education and K-12 education), that is a different process handled by the Virginia Department of Behavior Health and Developmental Services, Office of Early Intervention*

## WHEN SHOULD I THINK ABOUT MEDIATION?

- ✓ **When** you feel that you are at a standstill with your IEP team and unable to move forward.
- ✓ **When** you feel as though no one is listening to you and that an impartial third person could help facilitate discussion and a possible resolution to the disagreement(s).
- ✓ **Before or after** filing a written special education complaint.
- ✓ **Before or after** filing for a due process hearing.
- ✓ **When** you want to preserve or reestablish positive relationships with school division staff while resolving the issue(s) at hand.

## WHAT IS THE MEDIATOR'S ROLE?

The trained mediator is an **impartial third party**. Special education mediators are selected, appointed, and trained by the VDOE. They are paid by but not employees of the VDOE. They are **not affiliated with a school division or with the parents in the case.**



Mediators do not take sides or advocate for a specific position during the mediation process. They do not make decisions. But they do take an active role in helping to define the issues and identify solutions.

A good mediator creates an open environment and a safe place for discussion, keeps the discussions focused on the issues and possible alternatives and options, ensures that the parties remain respectful of one another, helps identify areas where agreement can exist, and helps with developing the mediation agreement.

### WHO CAN REQUEST MEDIATION?

Mediation is voluntary for all parties so parents and the school division must **request mediation jointly**.

### HOW DO I REQUEST MEDIATION?

If you are interested in mediation, you can **contact the school** (usually the principal or Special Education Director) and let them know you would like to engage in mediation. The school division will then decide if it wants to participate in mediation. Parents can also ask the VDOE to assist with communicating with the school division to determine if the school division is interested in mediating. If it does, the school division will send a request to the VDOE using a standard form signed by the school division and the parents. The VDOE will then assign a mediator to schedule and conduct the mediation. Mediation requests are submitted to [ODRAS@doe.virginia.gov](mailto:ODRAS@doe.virginia.gov). Note that the **school may also contact you** if they are interested in mediation.

### IS THERE A DEADLINE TO REQUEST MEDIATION?

Unlike an administrative special education complaint or a due process hearing, there is **no statutory (legal) deadline** by which mediation must be requested. However, since the purpose of mediation is to resolve an ongoing situation, it is best to **consider mediation as soon as possible** and before relationships deteriorate to the point where negotiation is not likely.

### CAN I WITHDRAW A REQUEST TO MEDIATE?

**You can change your mind** at any time about participating in mediation even during the process itself. At any time either party can withdraw their mediation request. However, a mediation agreement reached by the parties and signed by the parent and school division is legally enforceable.

### WHAT IF I HAVE ALREADY FILED A SPECIAL EDUCATION COMPLAINT OR FOR A DUE PROCESS HEARING?

You can still request mediation. This will not delay the due process hearing or the complaint process.

**In the case of a complaint**, if mediation is pursued, the parties can agree to extend the complaint timeline (see PEATC Complaint Toolkit). If a mediation agreement is reached before the VDOE issues its Letter of Findings (LOF) then the complaint can be withdrawn.

**If mediation is pursued in the resolution period before a due process hearing**, the parents and school division can agree to extend the due process resolution period. If a mediation agreement resolves the due process issues before the hearing takes place, the hearing officer is notified and will dismiss the hearing.

Parties can agree to go to mediation instead of the required resolution session when they are in due process.



## WHO PARTICIPATES IN THE MEDIATION PROCESS?

- ✓ The parents,
- ✓ School division staff as assigned by the school division, and
- ✓ The mediator.

You do not have to have an attorney for mediation. If you do plan to invite an attorney, let the mediator and other attendees know in advance. Attorneys serve in an advisory capacity to the parents or school staff at mediations.

Parents may also choose to have the **student** there for all or part of the mediation depending on their age and level of maturity. This can represent a good self-advocacy opportunity, especially for students of transition age (14 and older in Virginia).

## HOW IS THE MEDIATOR ASSIGNED?

The VDOE assigns available mediators on a rotational basis. A specific mediator can be requested if both parties agree.

## WHAT ARE THE BENEFITS OF MEDIATION?

Mediation helps the parents and school division understand each other's points of view.

Solutions are brainstormed together, and the participants have more control over the outcome.

Mediation helps to preserve or regain collaborative working relationships.

People tend to be more satisfied and follow through with the terms of mediated agreements because they are developed together.

Mediation is provided at no cost to either party.

Disagreements may be resolved more quickly than through other more complex dispute resolution processes.

Mediation can help create a plan for the child's future.

A mediation agreement is enforceable in court.

## WHAT ARE OTHER THINGS I SHOULD CONSIDER REGARDING MEDIATION?

Mediation is a confidential process. Discussions during mediation cannot be used in a due process hearing or civil litigation.

It is important to thoroughly prepare for mediation. This can take a good deal of time and effort, but you don't want to go into mediation unprepared. (See Tips section of this document.)

While mediation can be less adversarial than other options, it can still be emotional, tiring, or frustrating.

You should enter mediation with an open mind and be willing to listen to the other side and consider options you may not have thought of previously.

It may take more than one mediation session to resolve the issues.

There is no guarantee that the mediation will result in a written agreement.

## WHAT DOES THE MEDIATION PROCESS INVOLVE?

Mediation will be slightly different for everyone, but mediations have the **following basics** in common.

- ✓ The mediator will provide an **introduction** of themselves and the parties and describe the **format, roles, and goals** of the process.
- ✓ The mediator may set **ground rules** that the participants can agree upon.
- ✓ The parties (the parent(s) and the school division) will **process the issues** through discussion. The mediator will ask questions designed to obtain more information from all the parties.
- ✓ The mediator will work with the parties to **identify options and solutions** and to help the parties get past their ideas or conclusions about the child or the way to move forward.



- ✓ The mediator will ask the parties to **examine a variety of possible options** with an open mind and then move forward to evaluate how those options may or may not work for the student.
- ✓ The parties will **discuss areas of agreement or disagreement** with the proposed solutions and provide additional information if needed.
- ✓ The parties may **come to an agreement** and the mediator will help draft a written agreement. The mediation agreement will likely include a reminder that the discussions were confidential. In some, but not all, situations there is an additional provision making the **agreement itself confidential**. Whether the agreement itself is confidential is something the parties can discuss and reach agreement on.
- ✓ If an agreement is not reached, the parties may agree to **continue** the process in another session, or they can **end the mediation without an agreement**.

If an agreement is developed, **you do not have to sign it on the spot**. You can ask for time to review the agreement and if you want, you can ask an attorney to review it before signing.

## WHAT HAPPENS TO MY CHILD'S EDUCATION PROGRAM DURING MEDIATION?

During mediation, your **child's current IEP remains in place**. At any time during the mediation, the parents and school can agree to make changes to the IEP.

## WHAT IF THE MEDIATION FAILS?

Not all mediations will be successful. Hopefully, the process will help relationships remain positive and leave the door open to future negotiations. **Other dispute resolutions like written administrative special education complaints or filing for a due process hearing continue to be available** to you. Just remember that the discussions in mediation cannot be used as evidence in a due process hearing or civil litigation.

## WHAT IF THE SCHOOL DIVISION DOES NOT CARRY OUT A MEDIATION AGREEMENT?

A signed mediation agreement is enforceable in court. If the school division does not implement the agreement, **you can take the school division to federal or state court** and ask a judge to enforce the agreement.





Below are **six principles of the Individuals with Disabilities Education Act (IDEA)** that are critical to the success of students with disabilities receiving special education and related services. **Special education** is defined as specially designed instruction, which means that special education is different from general education, it also means that special education is something more than providing accommodations and/or assisting a student with assignments. [34 C.F.R. § 300.39 (b) (3)].

As you think about the concerns you have about your child's educational services and the possibility of mediation, it will be helpful to review these principles and consider where your concerns fall within them. You are not limited to these areas when asking for mediation, but most concerns will likely fall within them.

---

**1. Free Appropriate Public Education (FAPE).** FAPE is defined as special education and related services for children with disabilities ages 3 to 21 inclusive that are at no cost to the family, meet the standards of the Virginia Board of Education, include an appropriate preschool, elementary, school, middle, or high school education, and are provided under an Individualized Education Program (IEP). FAPE also means that an IEP should be drafted in such a way that it is reasonably calculated to enable a child to make progress in light of the child's circumstances

---

**2. Appropriate Evaluation.** IDEA requires that students must be evaluated before being provided special education and related services to decide whether the child is a student with a disability with a qualifying condition under IDEA and if so, to determine their educational and functional needs. There are additional requirements for these and other types of evaluations.

---

**3. Individualized Education Program (IEP).** The IEP is the cornerstone of FAPE. It is the written plan for a child with a disability developed by the IEP team that details the individual educational needs of the child and what special education and related services are needed to meet those needs. It must be carried out as written.

---



---

**4. Least Restrictive Environment (LRE).** IDEA requires that your child with a disability is educated to the maximum extent appropriate with children without disabilities and that they not be removed to a special class, separate school, or another more restrictive setting unless due to the nature or severity of the disability, their IEP cannot be satisfactorily implemented in the regular class even with the use of supplementary aids and services

---

**5. Parent Participation.** Schools must ensure that parents are present at IEP meetings or given the opportunity to participate via alternative means. They must provide advance notification and schedule IEP team meetings at a mutually agreed upon time and place. If the parents cannot attend a meeting, the school must find other ways to ensure their participation such as phone calls. In addition, the school must provide interpreters or other accommodations if needed to ensure that parents understand what is happening at the meetings and the information they receive.

---

**6. Procedural Safeguards.** These protect the rights of children with disabilities and their parents. They include but are not limited to the right to participate in meetings, examine educational records, obtain an independent educational evaluation, and receive Prior Written Notice. Dispute resolution options are also procedural safeguards.

---

## **CADRE TIPS ON PREPARING FOR MEDIATION**

- ✓ Organize your documents and write dates and notes on them. Consider making three copies—one for yourself, one for the school division, and one for the mediator.
- ✓ Make a list of all the issues and questions you want to discuss. This can help you remember all your concerns so you can present them in an organized manner.
- ✓ Think of questions other participants might ask and write down some possible responses.
- ✓ Try to think of many different solutions to the problem and write them down.
- ✓ Think about how you plan to deal with emotions (yours and others') during the meeting.
- ✓ Try to arrive a little before the scheduled meeting time so you have time to get ready to participate.
- ✓ Mediation is more likely to result in an agreement if everyone listens carefully to one another and is respectful.

# Am I Ready to Request Mediation?

There are some steps you can take before requesting mediation to make sure you are ready. Completing these activities will also help you prepare for mediation.

## I. LIST YOUR CONCERNS

**A**

**B**

**C**

**D**

## 2. HAVE YOU TRIED ANY OF THESE STEPS TO TRY TO RESOLVE THE CONCERNS?

(Check all that apply; you do not need to have completed these steps to request mediation, but it will be helpful)

- I reviewed the current IEP and any other relevant documents.
- I shared a [student profile](#) that includes the strengths and challenges of the child with the IEP team.
- I have discussed my concern(s) directly with the IEP team, case manager, school counselor, or teacher and have documented these conversations in writing.
- I discussed my concern(s) with the building principal, the school special education coordinator, and/or the school division's special education director.
- I have shared my concerns with the school district. (This can be in meeting notes, emails, calls, letters, and/or prepared written parental input statements for IEP documents.)
- I requested an IEP meeting in writing to discuss my concern(s).
- I have the documentation that supports the concern(s) I would like addressed (i.e., progress notes, prior IEPs, incident reports, outside evaluations or notes from other providers, etc.).
- I have taken other actions to address the concern(s). List those actions below.

**A**

**B**

**C**

**3. WHAT WOULD YOU LIKE THE SCHOOL DISTRICT TO DO TO RESOLVE THE CONCERN(S)?**

**A**

**B**

**C**

**4. IF YOU BELIEVE THAT THE SCHOOL DIVISION IS VIOLATING SPECIAL EDUCATION LAW (IDEA) OR VIRGINIA SPECIAL EDUCATION REGULATIONS, DESCRIBE WHAT YOU BELIEVE THE VIOLATIONS ARE.**

**A**

**B**

## 5. THINK ABOUT THE OUTCOME YOU WOULD LIKE TO ACHIEVE VS. A PARTICULAR POSITION YOU MAY HAVE TAKEN.

**Example:** Your position may be that you want your child to have a one-on-one aide.

The concern may be that your son or daughter cannot navigate the hallway alone to get to their next class. Or he/she may need direct assistance to stay focused on class assignments. Or he/she may need help using the restroom. An aide may be the solution that provides the desired outcome of success during the school day. **There could be other solutions.** In the case of navigating the hallway, for example, a peer could potentially fill this role. The key is to be open to ideas that you may not have thought of and to consider them.

**Example:** Your position may be that you want a specific reading program implemented that you have researched and believe is best for your child's reading disability. The school may use another program. Because parents cannot choose methodology, during mediation, you would want to explore why your child is performing poorly. What about the current reading system is not working? What methodology would enable your child to receive FAPE and make progress in their IEP based on their specific challenges (e.g., phonics, fluency, comprehension, etc.)? **Focus on the outcome!**





# Virginia's Special Education Mediation Services Request Form

This VDOE request for mediation must be filed jointly by the school division and the parent. The school division will submit the form below with the parents' signatures.

## I. STUDENT INFORMATION

*\*If the student is currently enrolled in a special education program, attach the most recent present level of performance.*

Student's Name:

Student's Grade/Program\*:

Student's Age:

Student's School Division:

## II. BACKGROUND INFORMATION

Please provide requested information. Enter N/A (not applicable) where appropriate.

Date(s) of previous mediations:

Date of complaint filing:

### **COMPLETE ONLY IF A DUE PROCESS HEARING HAS BEEN REQUESTED**

Date of due process hearing request:

Date of expedited hearing request:

Hearing Officer's name:

Regulations permit both the parent and school division to agree that mediation will be used instead of a Resolution Session. Please initial here if you both agree.

Parent's Initials:

School Division Representative's Initials:

**III. Mediation requests need to be jointly requested by the school division and the parent(s) as evidenced by the signatures below.**

**Submit this form only when you are prepared to schedule a date for mediation.**

## **PARTIES' NAMES AND SIGNATURES**

### **SCHOOL PERSONNEL**

---

Signature	Print Name
-----------	------------

---

Signature	Print Name
-----------	------------

### **PARENT/GUARDIAN**

---

Signature	Print Name
-----------	------------

---

Signature	Print Name
-----------	------------

## **IV. CONTACT INFORMATION**

### **SCHOOL REPRESENTATIVE**

Name:

Mailing Address:

Phone Number:

Fax Number:

Email Address:

### **PARENT/GUARDIAN**

Name:

Mailing Address:

Phone Number:

Fax Number:

Email Address:

## **V. SUPPORT NEEDS**

**Translation Needs** (Please specify)

**Interpreter Needs** (Please specify)

**Accessibility Needs** (Please specify)

## VI. ADDITIONAL INFORMATION

You may use this space to briefly list the issues you would like to work on at mediation. The mediation conference need not be limited to the issues you have noted here.

**Parent:**

**School:**

### SEND FORM TO:

Office of Dispute Resolution and Administrative Services  
Division of Special Education and Student Services  
Virginia Department of Education  
P. O. Box 2120, Richmond, Virginia 23218-2120

[ODRAS@doe.virginia.gov](mailto:ODRAS@doe.virginia.gov) | Telephone: 804-225-2013 | FAX: 804-786-8520

**For more information, you can review the VDOE document,  
[Administration of the Virginia Special Education Mediation System.](#)**



# Examples of Concerns Addressed in Mediation for Students in K-12

## EXAMPLE 1

**Concern:** Parents and school disagree on the evaluations needed to ensure the student receives appropriate services.

**IDEA principle:** Appropriate evaluations. IDEA §34 CFR 300.122; related Virginia Special Education Regulation 8VAC20-81-70

**Reason for Mediation:** Parents and school have come to a standstill but wish to maintain working relationships and feel that a third party would help them resolve the situation.

## EXAMPLE 2

**Concern:** The school district wants to move the student into a private day placement. The parents disagree and want the student to stay in the home school with supports. The parents have filed for a due process hearing.

**IDEA principle:** Least Restrictive environment. IDEA 34 CFR §300.114(a)(2)(i); related Virginia Special Education Regulation 8VAC20-81-130

**Reason for Mediation:** Although the parents have filed for a due process hearing, they and the school division are willing to explore solutions to best serve the child. They feel that a mediator could help both parties be more open to each other's perspectives and possible solutions and potentially avoid a hearing.

## EXAMPLE 3

**Concern:** The parents and school disagree on the number of speech therapy hours the child should be receiving.

**IDEA principle:** Free Appropriate Public Education-FAPE. IDEA 34 CFR §300.17(d); related Virginia State Regulation 8VAC20-81-100

**Reason for Mediation:** The school proposed an IEP in which the student would receive 30 minutes of group speech-language therapy per week. The parents have requested 1.5 hours a week of individual therapy. The parents have an independent evaluation that supports their request for additional therapy hours to ensure the student meets her communication goals. Both parties are willing to negotiate but the disagreement has made discussions difficult. The parents and school feel that a neutral third party could diffuse the situation and help them come to an agreement.

## EXAMPLE 4

**Concern:** The school district did not implement the student's IEP as written. He was supposed to receive 30 minutes a week of occupational therapy and the parents found out that he hasn't received that service for four months. The division only wants to provide minimal compensatory services to make up for it.

**IDEA principle:** FAPE and IEP. IDEA 34 CFR §300.17(d); related Virginia State Regulations 8VAC20-81-110

**Reason for Mediation:** The parents believe that the issue is straightforward in terms of time owed to the student. The school division believes that the parents don't understand the nature of compensatory services and that a mediator could help them sort through the issues and come up with an agreeable plan to meet the student's needs.

## EXAMPLE 5

**Concern:** After conducting an eligibility evaluation, the school found the student ineligible for special education and related services. The parents believe that the school did not assess the student in all areas of suspected disability and they have private evaluations that conflict with the school's evaluation. They also point to their daughter's failing grades. They believe their child should be found eligible under IDEA.

**IDEA principle:** Evaluations. IDEA 34 CFR §300.301; related Virginia state regulation 8VAC20-81-60

**Reason for Mediation:** The parents and school division both wish to avoid a due process hearing to resolve the eligibility issue. The school division has stated that the private medical evaluations were considered but did not demonstrate that there is an educational need created by the disability. The parties have had several meetings and cannot come to an agreement but are willing to meet with a third party to see if additional evaluations or information may be needed so that the student can be appropriately served.

As noted previously, the mediation process also applies to students with disabilities receiving **Early Childhood Special Education Services (ECSE)**. In Virginia, these services are available for children 2-5 years old. The same regulations apply to preschoolers as they do to K-12 students. See the following examples of mediation scenarios relating to young children with disabilities.



# Examples of Concerns for Mediation for Early Childhood Special Education

## EXAMPLE 1

**Concern:** My child's Early Childhood Special Education Program did not complete comprehensive evaluations on my child.

**IDEA principle:** Initial Evaluation. IDEA 34 CFR §300.301; related Virginia regulation 8VAC20-81-60 and 70

**Reason for Mediation:** The parents and school division disagree on the types of evaluations to be conducted to determine eligibility for ECSE. The school division has stated that related services evaluations such as OT and speech are not required. The parents believe these evaluations are critical. The parties wish to maintain a good working relationship and avoid more formal dispute resolution. They think that mediation may help the parties reach a mutually agreeable compromise.

## EXAMPLE 2

**Concern:** My child's Early Childhood Special Education Program did not implement my child's IEP. My child is not receiving the hours of occupational therapy or the assistive technology specifically written into the IEP.

**IDEA principle:** FAPE and IEP. IDEA. 34 CFR §300.17; related state Virginia Regulation 8VAC20-81-100 and 8VAC20-81-100(B)(6)

**Reason for Mediation:** The school lost its occupational therapist and has had to rely on itinerant (traveling) therapists and has reduced hours for all children. The itinerant therapists have not been trained in the use of the AT. The parents and school are having difficulty communicating in a civil, respectful manner. The parents have filed a written special education complaint, but the parties have agreed to attend mediation as part of the Special Education Written Complaint Early Resolution system.

# Glossary of Special Education Mediation-Related Terms

<b>TERM</b>	<b>DEFINITION</b>
CFR	The U.S. Code of Federal Regulations
Compensatory Services	Services provided by the school division to make up for the lack of appropriate services provided at an earlier time
Complainant	The person(s) or organization(s) that files a special education complaint
Complaint	A written statement filed with the Office of Dispute Resolution and Administrative Services (ODRAS) alleging that a school division has violated one or more of the state and/or federal laws and regulations governing special education
Due Process Hearing	A hearing conducted by an impartial hearing officer to resolve disagreements over issues related to special education services that arise between parents and a school division
Early Resolution System	A process that encourages both parties to come to an agreement to resolve the issues alleged in the complaint prior to an ODRAS investigation (can include mediation.)
Mediation	The process in which an objective third party (a trained mediator) works with two opposing parties to come to a mutually agreeable solution to their disagreement
Mediation Agreement	A signed agreement resulting from a mediation session that is enforceable in a court of law
Mediator	A neutral party, selected, appointed, and paid by the Virginia Department of Education (but not a VDOE employee) to conduct special education mediation sessions
ODRAS	Office of Dispute Resolution and Administrative Services. The VDOE division that oversees complaints, mediation, and due process administration
VAC	Virginia Administrative Code











800-869-6782 (toll free) | 703-923-0010 | 800-693-3514 (fax)

**VISIT US AT [WWW.PEATC.ORG](http://WWW.PEATC.ORG)**

Hablamos Español