

Other Options

Mediation is not the only way to resolve disputes. You can:

- Contact the ND Department of Public Instruction, Office of Special Education at 1.866.741.3519 or 701.328.2277.
- Ask the local special education unit for assistance.
- Seek help with early dispute resolution from Pathfinder Services of ND.
- Ask for a Facilitated IEP.
- File a Complaint with NDDPI.
- Consider a Due Process Hearing.



Early Dispute Resolution

If you...

- Have read one thing about parent rights but feel you have been told something different.
- Believe the IEP is not working but aren't sure how to find what you need.
- Tried to resolve the problem locally and can't get a solution.
- Have questions or are unclear about what steps to take next.

Then please contact...



 701.837.7500

 info@pathfinder-nd.org

 <http://pathfinder-nd.org>



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Dispute Resolution in North Dakota



Using the ND Mediation Process to Resolve Disputes



Creating Pathways
For North Dakotans



What is Mediation?

Mediation is a voluntary process that brings people together to resolve disagreements. A mediator helps participants communicate with each other so that everyone has an opportunity to express concerns and offer solutions.

How can a specially trained mediator help?

- The mediator is neutral and doesn't take sides or make decisions for anyone.
- They assist both parties to move beyond emotion to effective communication and negotiation.
- They help both parties to think about issues and solutions.
- They build parent and teacher capacity to better understand with each other.

★ IMPORTANT ★

Be aware that this brochure does not contain all the details regarding the mediation process. A complete description of the NDDPI *IDEA Special Education Mediation* process is located at:

<http://psnd.co/pdf/res/726.pdf>

How Do I Get Mediation?

Follow These Steps

The parent or the school may ask for mediation.

- Send a letter or state form asking for mediation to both NDDPI and the local superintendent.
<https://www.nd.gov/dpi/sites/www/files/documents/SFN%20Forms/SFN58601.pdf>
- Mediation is voluntary and can be used only when both the parent and the school agree to use this strategy.
- Describe the impasse clearly. Do not blame or accuse others.
- Be aware that mediation is not binding unless both parties agree.
- Include a statement of what you believe would help to resolve any impasse.

Sign and date the letter or form and send it to:

ND Dept. of Public Instruction
Office of Special Education
600 E. Blvd. Ave., Dept. 201
Bismarck, ND 58505-0440

What Happens Next?

Know What to Expect

- Both parties will be notified when a letter is received and asked to consent or decline to participate.
- If both parties do not agree to mediation then it will not take place.
- If the school declines you can ask to meet with the superintendent to discuss the basis for the decision.
- The NDDPI will contract with a trained mediator and pay for their time and travel.
- A meeting will be scheduled.
- Both parties will have an uninterrupted opportunity to share their information.
- Each party will also have a chance to meet with the mediator individually. This session will be confidential.
- The mediator will propose an agreement which either party can accept or decline. Some negotiation may take place.
- If agreement is reached, each party will be asked to review and sign a written copy, agreeing to carry out all parts of the agreement.