

About the Mediation Process

Mediation cannot deny nor delay
the parents' right to an impartial
complaint resolution procedure



Mediation may be requested before
or at the same time an impartial complaint
resolution procedure is sought



An administrative law judge trained
in mediation conducts the session



Attorneys and legal advocates
may participate in the mediation session



Agreements reached as a result
of mediation will be put in writing
and signed by all participants



All discussions held during the
mediation process are kept confidential



Need more information? The following resources
provide more information about parents' rights in
the early intervention system.

- Local Infants & Toddlers Program service coordinators
- Local advocacy organizations, such as:
 - Advocates for Children and Youth, (410) 547-9200*
 - Family Support Network for Infants and Toddlers With Special Needs (410) 767-0652, (800) 535-0182*
 - Maryland Disability Law Center, (410) 235-4700, (800) 233-7201; TTY: (410) 235-4227*
 - University of Maryland School of Law General Practice Clinic, (410) 328-3295*
- MARYLAND STATE DEPARTMENT OF EDUCATION
Division of Special Education/Early Intervention Services
Maryland Infants and Toddlers Program
200 West Baltimore Street; Baltimore, MD 21201
(410) 767-0261 voice • (800) 535-0182 toll free voice
(410) 333-8165 fax • (410) 333-0731 TDD

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Mediation in the Early Intervention System



Occasionally, service providers and parents disagree about some aspect of a family’s participation in the early intervention system, including:

- ❖ determination of eligibility
- ❖ evaluation or assessment of a child
- ❖ provision of services to an eligible infant or toddler
- ❖ financial obligation of parents for early intervention services.

When this occurs, communication can become difficult and the parties may find themselves unable to reach a mutually agreeable decision.

One option for addressing complaints by parents is a **Impartial Complaint Resolution Procedure**—the formal process that requires decision making by administrative law judges, based on evidence presented at a hearing. For more information on this option, refer to the brochure entitled *Impartial Complaint Resolutions Procedures*, available from the Maryland Infants and Toddlers Program.

Mediation is a less formal option available to address complaints by parents. It focuses on mutual problem solving through open communication, which can help strengthen working relationships between parents and service providers. Mediation is completely voluntary—parents have the right to request a mediation session instead of, or in addition to, a formal **Impartial Complaint Resolution Procedure**.

Mediation enables the parties of a dispute to come together under the guidance of an impartial trained mediator. The mediator focuses the discussion on issues that separate the family and service providers. Both sides are allowed to present facts and ideas, then the mediator facilitates an agreement that is in the best interest of the child and family.

While it is the goal of the mediator to ensure the child receives appropriate early intervention services, parents and service providers must work together to reach a decision that can be implemented in good faith.

If an agreement is reached as a result of mediation, that agreement is put in writing and signed by all participants.

If an agreement is not reached, parents still have the right to request an **Impartial Complaint Resolution Procedure**.

In any event, the mediator and all parties maintain the confidentiality of the mediation session.

To request mediation, parents may:

- ❖ File an *Application for Early Intervention Mediation* with the Maryland Office of Administrative Hearings. Trained mediators are available to help parents and service providers reach a mutually agreeable decision.

or

- ❖ Send a written complaint to the Maryland Infants and Toddlers Program requesting a mediation session prior to the **Impartial Complaint Resolution Procedure**.

Since the child’s welfare is the key concern, early intervention services will not be delayed or interrupted by complaints or procedures initiated by the family.

