

INSTRUCTIONCURRICULUMPrograms for Students with DisabilitiesSpecial Education Mediation

The West Genesee Central School District offers special education mediation to parents or guardians as a means of resolving disputes related to the identification, evaluation, or educational placement of, or the provision of a free appropriate public education to, a student identified as having or suspected of having a disability.

Special education mediation is a process in which parents and a representative of the school district, who has authority to bind the District, meet with a qualified and neutral third party (the mediator) selected by the community dispute resolution center to attempt to resolve disputes. The school district may request a disinterested party from the community dispute resolution center to meet with the parent to explain the benefits of the mediation process and to encourage the parent's use of the process, but may not use this process to deny or delay a parent's right to an impartial hearing if the parent elects to not participate in the meeting.

All discussions during mediation are confidential and may not be used as evidence in any subsequent impartial hearing or civil proceeding.

If, as a result of mediation, the parties reach a resolution to the dispute, they shall execute a legally binding written agreement setting forth the terms of the resolution and stating that all discussions shall be confidential and may not be used in any subsequent impartial hearing or civil proceeding. It is to be signed by both the parent and the District representative. The agreement shall be enforceable in any state court of competent jurisdiction or in federal court.

Mediation shall be free of charge to the parent and shall not deny nor delay a parent's right to an impartial hearing.

Cross Reference 4321 INSTRUCTION  
CURRICULUM  
Programs for Students with Disabilities

Cross Reference 4321.2 INSTRUCTION  
CURRICULUM  
Programs for Pre-School Students with Disabilities

Update  
Presentation: 7/5/06

First  
Vote: 8/2/06

Second  
Vote: 8/16/06