

Voluntary Dispute Resolution	IEP/IFSP Facilitation	Mediation
<i>Applicable law</i>	State-sponsored (not mandated under IDEA)	Mandated under IDEA (federal law) and state law
<i>How to Request</i>	Either party can request IEP/IFSP Facilitation by completing ODR's IEP/IFSP Facilitation Request form available via a PDF or an online form. Both forms can be found on ODR's IEP/IFSP Facilitation page. ConsultLine can assist parents who are unable to read or write but wish to submit a facilitation request.	Either party can request Mediation via ODR's Mediation request form available via a PDF or an online form, found on ODR's Mediation page. ConsultLine can assist parents who are unable to read or write but wish to submit a mediation request.
<i>Description</i>	The role of the facilitator is to be a neutral third-party when both the family and LEA feel that their presence would be beneficial, particularly when there are problems with communication, issues which have not been able to be resolved, and tension between parties.	The role of a mediator is to be a neutral third party which helps guide the parties toward areas of agreement. Mediation can be used for specific issues or disputes.
<i>Scheduling</i>	The LEA is responsible for scheduling the IEP/IFSP meeting and ODR is informed of the date by the parties to schedule a facilitator to be present. Therefore, the IEP Facilitation session will depend on the scheduled date for the IEP meeting.	ODR asks participants to complete a <i>Scheduling form</i> with their availability and the ODR case manager will match dates with the participants and assign a mediator to schedule the mediation session. The date the mediation session will take place depends upon the mutual availability of the parties.
<i>Participants</i>	Participants must be agreed upon by both parties. The facilitator is considered a 'guest' and does not advocate for either party. Attorneys are sometimes present at the discretion of the parties.	Participants must be agreed upon by the parties. The mediator leads the mediation session but does not decide the outcome of the dispute. Attorneys are permitted to participate in mediation. If the parent chooses to bring an attorney, the LEA may choose to bring their attorney.
<i>Child's Status</i>	IEP Facilitation is an early alternative dispute resolution option not required under the IDEA. Currently, no state law applies pendency to IEP Facilitation.	State regulations include pendent placement (stay-put status) for a child during mediation proceedings.
<i>Cost</i>	There is no direct cost to parents to participate in IEP Facilitation. However, if a family chooses to invite someone who requires compensation for their time (e.g., a physician, psychologist, an attorney), then that cost is the responsibility of	There is no direct cost to parents to participate in Mediation. However, if a family chooses to invite someone who requires compensation for their time (e.g., a physician, psychologist, an attorney), then that cost is

	the parent. For IEP Facilitation requests for gifted education services, the school will cover the cost.	the responsibility of the parent. For Mediation requests for gifted education services, the school will cover the cost.
<i>Benefits/Outcome</i>	With the help of a facilitator, the goal is an agreed-upon IEP or IFSP and an improved relationship and communication between parties.	Mediation, when successful, can result in collaboration and a legally binding document with terms the parties agreed upon. A mediation agreement is legally binding in a State court of competent jurisdiction or a District court of the United States.