



What Takes Place At Mediation?

A trained mediator meets with you and your EIO to discuss the issues involved and help you find an answer. Both of you will have the chance to share your concerns and talk about the needs of your child and/or family.

The mediation process must be completed within 30 days of the Community Dispute Resolution Center receiving your request. At the completion of the mediation, a written agreement is prepared describing the agreement and any unresolved issues. Your service coordinator will then make sure the agreed upon services are added to your IFSP.



What If No Agreement Is Reached?

If you and your EIO cannot agree on your IFSP, your EIO will tell you about how to get an impartial hearing.



Does This Cost Anything?

No. All costs are paid for by the New York State Department of Health through the New York State Dispute Resolution Association.

For more information, contact your service coordinator or early intervention official.

EARLY INTERVENTION MEDIATION

A Parents' Guide

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What is Early Intervention?

The Early Intervention Program provides early intervention services and supports to infants and toddlers under age three with developmental delay or disabilities and their families.

The Early Intervention Program is established in Public Health Law. The New York State Department of Health is responsible for its administration and oversight. All children in the Early Intervention Program have a written plan for services called the Individualized Family Service Plan, or IFSP.



Why Early Intervention Mediation?

Sometimes parents and early intervention officials (EIOs) do not agree on the plan for services. The law establishes the right of a parent to enter into mediation to resolve disagreements with the EIO about early intervention services.

Any early intervention services in the IFSP which you and the EIO agree to, can be provided while you access mediation services. Parents can stop mediation at any time and request an impartial hearing.



What Is Mediation?

Mediation assists parents and EIOs to reach agreement about services to be provided to the child and family. Mediation brings EIOs and parents together to talk about their concerns. It is a confidential process that encourages parents and EIOs to speak freely about their concerns about services.

What Can Mediation Do?

The main purpose of mediation is to help you and your EIO reach agreement on early intervention services to include in your IFSP.

Mediation can:

- help you and your EIO to agree on information in the evaluation and/or IFSP
- clear up a misunderstanding or the cause of a problem
- let you and your EIO speak your minds with an objective person listening
- help you and your EIO work together to better solve a problem



How Do You Request Mediation?

Here is what happens:

1. You send your EIO a letter to ask for mediation (see “Your Family Rights” for a sample letter).
2. Your EIO agrees to mediation and tells the community dispute resolution center about your request.
3. The mediator finds out who will take part in the meeting and may ask you and your EIO for more facts.
4. The mediation center will arrange for and hold the mediation meeting within two weeks, unless you ask for more time.
5. Your EIO also may request that you participate in mediation if you disagree on services. Remember, mediation is voluntary. You and your EIO must both agree to mediation for it to take place.

Who Attends The Mediation?

You and your EIO or designee must both attend the mediation. You may also invite others to come with you to the mediation meeting. You may bring an attorney if you let your EIO know before the mediation. Your EIO also may bring an attorney and must tell you ahead of time that s/he plans to do so.



Who Are The Mediators?

Mediators are trained, certified and assigned by the Community Dispute Resolution Center in your county. They are experienced in resolving disagreements and know how to listen to all sides and be fair. They are not experts in early intervention. They are expert mediators who have an understanding of the Early Intervention Program.



How Do I Prepare For A Mediation?

- List all of your questions and concerns before going to the meeting
- Bring any information you think you may need (such as your child’s evaluation report) to the meeting
- Come with an open mind, ready to listen and discuss your concerns