



## MSDE Public Website of State Performance Plan Results

### State ResultsSpecial Education

Maryland: Indicator 19

Percent of mediations held that resulted in mediation agreements.

#### Results

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
State Baseline:	80%	-	-	-	-	-	-
State Target:	-	75%	75%	75%	75%	75%	75%
State Results:	-	73%	68%	-	-	-	-

#### Narrative Description of Indicator

MSDE reports that of the 172 mediations held, 117 resulted in agreements, which failed to meet our 75 - 85% target.

MSDE reports slippage in the percent of mediations that resulted in a settlement agreement. In analyzing our data, we attribute this slippage to three factors. First, is the trend that public agencies are opting to use resolution meetings as the early dispute resolution option of choice when due process complaints are received. This leads to the second reason for the slippage, which is the success of resolution meetings; 72% of resolution meetings held have resulted in agreements. Finally, 34% of the mediations held that did not result in settlement agreements were regarding a request for more restrictive placements, which frequently is an issue that is difficult to resolve through mediation. Of the 319 due process complaints received, 284 were resolved without a hearing. This is an 89% resolution rate for due process complaints filed.

The MSDE received 95 fewer mediation requests during this reporting period compared to last year (FFY 2005 - 425 requests; FFY 2006 - 330 requests); showing a 22% decline in requests.

MSDE will continue to promote the use of early dispute resolution techniques whether the forum of choice is a mediation session, a resolution meeting, or in the early stages of disagreement, an IEP facilitator. We will analyze this data to ensure public agencies are offering early forms of dispute resolution. During this reporting period MSDE and the Office of Administrative Hearings, began developing a Frequently Asked Questions about Mediation document to assist in promoting the use of mediation to resolve disputes. This document was completed in October 2007, posted on the MSDE website, and distributed to public agency staff and advocacy groups. MSDE continues to implement the Improvement Activities.