



Agreement to Mediate

Mediation Number: _____

Date: _____

1. I understand that mediation is voluntary and a state complaint and a due process hearing complaint can be requested if agreement is not reached.
2. I understand we are here to find a solution to our dispute, and I agree to enter into the mediation session in good faith and to attempt to reach a resolution in the best interests of the student.
3. I understand that the mediator is here to help us see both sides, think about solutions, and write up an agreement. The mediator will not make decisions or tell us how to solve the problem. I understand that the mediator is not acting as a lawyer, judge, hearing officer, investigator, counselor, or advocate.
4. I understand that the mediator will not give legal or financial advice.
5. I understand that I may stop the mediation or the mediator may stop the mediation at any point for any reason.
6. I understand that the mediation process is strictly confidential. I understand that all discussions that occur during the mediation session will remain confidential and will not be used as evidence in any subsequent due process hearing or civil proceeding.
7. I understand that if agreement is reached through the mediation process, the written agreement is legally binding and can be enforced in any court of competent jurisdiction.
8. I understand that the parties agree not to subpoena the mediator or any observer to testify about what was said in mediation.
9. I understand that the mediation session will not be recorded by anyone (either video or audio) and no transcript of the session will be produced.
10. I understand that any documents prepared for or during mediation (such as case summaries presented to the mediator or notes taken by the mediator) are for settlement purposes only and may not be subpoenaed for, or used in, a hearing or trial.
11. I understand that no participant will be bound by anything said or done in mediation unless and until there is a written settlement agreement.

Initials (Parent): _____ Initials (Sch Representative): _____

12. I understand that my signature on this document is an acknowledgment that I am aware of the process/expectations during mediation and signing this Agreement to Mediate is not a requirement for mediation.

Signature - Parent/Guardian

Signature - School Representative

Signatures of Participants:
