

CONFIDENTIALITY PLEDGE

We understand that discussions held in mediation are to be kept confidential. Nothing that is said may be used as evidence in any later due process hearing or other legal action. In addition:

- The parties are not allowed to tell anyone about discussions which occur during the mediation process. This includes statements made, settlement proposals made or rejected, and the reasons an agreement was not reached, if that happens. Parties may not discuss information regarding mediation discussions with a judge, administrative hearing officer, complaint investigator or arbitrator. However, the parties may discuss information, on a need to know basis, with appropriate staff and professional advisors. Also, a parent may disclose mediation discussions to his/her spouse.
- The parties may not at any time, before, during, or after mediation, call the mediator or anyone associated with the mediator as a witness. This includes any judicial, administrative, or arbitration proceeding concerning this dispute.
- The parties may not subpoena or demand the production of any recordings, records, notes, work product, or other written information of the mediator in any judicial, administrative, or arbitration proceeding concerning this dispute.
- The exception to the above is that the agreement to mediate and any written agreement made and signed by the parties as a result of mediation may be used in any relevant proceeding, unless the parties agree in writing not to do so.

Adapted from: Senate Report 105-17, Committee on Labor and Human Resources, S.717, Individuals with Disabilities Education Act Amendment of 1997.

With my signature, I acknowledge that I have received this notice:

Family member:		Signature
Date:		Type or Print Name
Family member:		Signature
Date:		Type or Print Name
Education Agency Representative:		Signature
Date:		Type or Print Name

NOTE: Mediation cannot and will not begin until the Mediation Consultant or mediator has received the signed Confidentiality Pledge.

Please mail to:

Mediation Consultant
 KS State Dept. of Education
 Early Childhood, Special Education, & Title Services
 900 SW Jackson St. Suite 620
 Topeka, KS 66612
 Phone: (800) 203-9462 or (785) 296-7454