



STATE DEPARTMENT OF EDUCATION

P.O. BOX 83720  
BOISE, IDAHO 83720-0027

TOM LUNA  
STATE SUPERINTENDENT  
PUBLIC INSTRUCTION

**MEDIATION CONFIDENTIALITY PLEDGE**

Mediation is a voluntary, no cost, confidential service provided by the State Department of Education (SDE). Maintaining confidentiality is critical to the integrity of the process. Confidentiality encourages free, open communication, toward a collaborative settlement.

The parties involved in this mediation proceeding on this \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_, agree to the following:

1. This confidentiality agreement must be signed by all parties before mediation services are provided.
2. Discussions that occur during the mediation process are confidential and cannot be used as evidence in any subsequent due process hearing or civil proceeding.
3. All parties agree not to call the mediator (or an SDE observer of this mediation) as a witness or depose the mediator (or SDE observer) in any subsequent due process hearing or legal proceeding.
4. The mediator will collect all personal notes which shall be destroyed at the conclusion of the mediation session.
5. This mediation session will not be recorded.
6. The only record to be retained will be the written agreement and this signed confidentiality agreement. If parties come to agreement, a copy of the written agreement will be given to both parties and filed with the SDE by the mediator. If for any reason the mediation fails to produce a written agreement, the mediator will inform the SDE that no agreement was reached.
7. All parties understand that the mediator is responsible for collecting the signed confidentiality pledge and the signed written agreement if one was created.

**Name and Role:**

_____	_____
_____	_____
_____	_____

**Mediator:** \_\_\_\_\_