

Agreement to Mediate

Case No. _____

1. I understand mediation is voluntary for all parties and cannot be used to deny or delay a parent's right to a due process hearing.
2. 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, therapist or advocate.
3. If I'm not sure about my legal rights or how signing a mediated agreement may affect my rights, I understand that I may seek advice from an advocate or an attorney, but neither an advocate nor an attorney is required for mediation.
4. I understand the mediator does not have to protect my interests and will not give legal or financial advice.
5. I understand that an administrator, parent or guardian, or the mediator may stop mediation, at any time.
6. I understand that discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding.
7. I understand mediated agreements are not admissible in a due process hearing unless the parties agree otherwise or a party to the agreement believes the agreement is not being implemented.
8. I am aware that the mediator will not testify about the mediation in any subsequent proceedings and that the mediator's records are not accessible to the parties.
9. I understand that all parties must follow any agreement reached in mediation and that the signed mediation agreement is enforceable in any State court of competent jurisdiction or in a Federal district court.

Signature - Parent/Guardian

Signature - School District
Authorized Representative

Signature - Parent/Guardian

Signature - Mediator

Date _____