

**PLEASE COMPLETE & FAX/MAIL THIS FORM TO THE LOCAL EARLY SETTLEMENT OFFICE  
REQUEST FOR IDEA MEDIATION**

We, the undersigned, request that a mediator be assigned to assist in resolving disagreements on the following issues:

We have reviewed the option of mediation in special education in Oklahoma and understand that it is a voluntary process and not a requirement.

We agree to approach the session in an attempt to resolve our differences in a mutually satisfactory way in the best interests of the student

We understand that by voluntarily entering into mediation, neither party waives the rights to due process.

We understand that the mediation session is confidential and agree not to compel the attendance of the mediation in any future administrative hearings or civil proceedings.

\_\_\_\_\_  
School District

\_\_\_\_\_  
Student's Name

\_\_\_\_\_  
School District Representative Signature

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Please Print**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title/Position

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Address

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Address

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Phone - Home

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Phone - Work

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Phone - Work

## **MEDIATION INFORMATION FOR PARTICIPANTS**

### **The mediator will:**

Establish an understanding of the mediation process

Clarify and confirm the issues of dispute between the parties

Assist and guide the involved parties in efforts to resolve the issues of concern and to facilitate the consideration of alternatives and options

Encourage communication, creative problem-solving and mutual agreement in a constructive and positive manner

Assist the participants in writing a mediation agreement delineating the responsibilities and clarifying details of the resolution outcome of the mediation meeting

### **The participants will:**

Agree to share information openly within the mediation meeting, but will comply with confidentiality outside of the mediation

Respect the need for a safe, non-adversarial atmosphere to resolve the disputed issues.

Agree that the mediator will not be compelled to testify or otherwise disclose information in any current or future due process hearing of civil proceedings

Bring relevant documents, such as the Individualized Education Program (IEP) that may be involved in the disputed issues

Think of possible alternatives or ways of solving the problem that might be proposed to the other participants

Maintain responsibility to follow procedural safeguards and requirements or timelines and notification in any due process hearings, complaints, or civil proceedings that may be in place

Follow - up with any necessary procedural safeguards and IEP team meetings resulting from agreements reached through the mediation meeting.

**What to expect in the mediation meeting:**

The mediator's role is not that of a judge, hearing officer, counselor or therapist and therefore the mediator will not render a decision or offer advice

The mediator has no authority to compel any action by either party

Mediation requires the full and voluntary participation of both parties and can only begin or continue as parties may agree

The number of participants at each mediation meeting will be kept to a minimum in order to establish an atmosphere for effective problem solving

Participants in the mediation meeting must include persons having the authority to commit to decisions and to act on behalf of the students and the local school district

Generally, the participants in the meeting include the parents and administrative representative of the school district, and in some circumstances the student

Other participants, as agreed upon by the participants and the mediator prior to the meeting, might include legal representatives of the parties, professionals directly involved in the service issues, or representatives of other agencies involved in the disputed issues

No records of the mediation meeting will be maintained other than the Mediation Agreement, Request for Mediation, and documentation of the scheduling and outcomes of the mediation

Notes, tape recording, or other records of the discussion in the mediation meeting are not allowed and matters discussed in the meeting shall not be disclosed outside the context of the meeting

Mediation Agreements may become part of the student's confidential education records are utilized in the special education process, including the development of subsequent IEPs

Any agreements reached in the mediation session are subject to the procedural safeguards and requirements of the Individuals with Disabilities Education Act (IDEA) and may require further action by the IEP team

The mediator may discontinue the mediation meeting at the request of either party or in the event that the mediator determines no resolution or agreement is forthcoming