



Legally Binding Mediation Agreement Form

___ Preappeal Conference (mediation--no hearing request)

___ Mediation (hearing request)

DE assigned number _____

Name of student _____ Date of Mediation: _____
(First and last)

Resident district: _____ Attending district / nonpublic school: _____

Area Education Agency: _____ Location of mediation: _____

Other parties named (other than district/s or AEA/s): _____

Names and roles of people attending _____

Mediation

Identify action to resolve issue.	Person or agency responsible to initiate and complete an action	Timeline for action
1. Did the parties designate how long this action is to occur? <input type="checkbox"/> Not appropriate. <input type="checkbox"/> Yes: Starting date		

<p>Ending date</p> <p>Describe what has to happen so that parties know this part of the agreement has been met.</p>		
<p>2.</p> <p>Did the parties designate how long this action is to occur?</p> <p><input type="checkbox"/> Not appropriate.</p> <p><input type="checkbox"/> Yes. Starting date</p> <p>Ending date</p> <p>Describe what has to happen so that parties know this part of the agreement has been met.</p>		
<p>3.</p> <p>Did the parties designate how long this action is to occur?</p> <p><input type="checkbox"/> Not appropriate.</p> <p><input type="checkbox"/> Yes. Starting date</p> <p>Ending date</p> <p>Describe what has to happen so that parties know this part of the agreement has been met.</p>		
<p>4.</p> <p>Did the parties designate how long this action is to occur?</p> <p><input type="checkbox"/> Not appropriate.</p> <p><input type="checkbox"/> Yes. Starting date</p> <p>Ending date</p> <p>Describe what has to happen so that parties know this part of the agreement has been met.</p>		
<p>5.</p>		

Did the parties designate how long this action is to occur? <input type="checkbox"/> Not appropriate. <input type="checkbox"/> Yes. Starting date Ending date Describe what has to happen so that parties know this part of the agreement has been met.		
6.		
7.		
8.		
9.		
(More can be added)		

Shepherd: _____ is the shepherd of the agreement. (Contact information: _____) As such he/she is the person who guides implementation of the agreement, and is the person any of those involved in this preappeal will contact with questions or concerns about the agreement being followed. If anyone involved believes that additional effort is needed to resolve differences that will be shared with the shepherd. One example would be a belief that the mediator should return.

Contingency Plan: Is a contingency plan needed for any part of the agreement because of a potential problem outside the control of any party in the dispute? (Please include the name of a specific person who may be included during any part of the agreement).

No Yes

If yes, describe the plan:

If a preappeal conference: When is it appropriate for the Iowa Department of Education to officially dismiss the preappeal conference request?

Next Steps

1. If a final written agreement becomes available on the day of the preappeal/mediation, the mediator will provide copies to all parties and request signatures on that date, if possible, from those individuals from whom signatures are required.
2. If an agreement was reached but a written agreement was not available for distribution on the day of the preappeal conference or mediation, the mediator will send or e-mail the written agreement to all parties, with separate signature pages for each party from whom signatures are required.
3. The mediator will copy the final agreement and signature pages and send copies to all parties attending the mediation and to the Department of Education.
4. Not applicable for preappeal conference request: The parent will inform the Iowa Department of Education who will inform the administrative law judge of the status of the hearing request.

**Mandated Signatures for Legally Binding Written Agreement
(Complete after the agreement is finalized)**

The undersigned parties agree:

1. All discussions that occurred in mediation are confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding.
2. This is a legally binding agreement enforceable in any state court of competent jurisdiction or in a district court of the United States.
3. This agreement is in force for the duration of the current school year or for the period indicated under each agreement item unless changed by the IEP team or by mutual written consent of the parties.

Print and Sign (Parent)

Date

Print and Sign (Parent)

Date

Print and Sign (Designated representative of LEA)

Date

Print and Sign (Designated representative of AEA)

Date