Mediation Conference

The Alabama State Department of Education provides a mediation process which is voluntary on the part of all participants and is in compliance with the INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA). It is not used to deny or delay any participant's right to a due process hearing, or to deny any other rights afforded under IDEA; and is conducted by a qualified and impartial mediator who is trained in effective mediation techniques. At the agreement of both parties to participate in mediation, the department assigns a mediator at no cost to the parent or school system.

Each session in the mediation process shall be scheduled in a timely manner and shall be held in a location that is convenient to the parties to the dispute. An agreement reached by the parties to the dispute in the mediation process shall be set forth in a written mediation agreement. A signed, written mediation agreement differs from a resolution agreement that is required through the federal and state Due Process Hearing rules. A resolution agreement can be revoked after three business days. A mediation agreement is valid once it is signed and is not subject to being revoked. If it is believed that the mediation agreement is not being implemented, the agreement is enforceable in any State Court of competent jurisdiction or in a United States District Court. Another option is that a party may choose to request a due process hearing since a hearing officer also has the authority to enforce a mediation agreement. The party also could choose to file a State Complaint if it was believed that the mediation agreement was not implemented.

We understand that state provided mediators shall not be placed on a witness list or subpoenaed to testify at a due process hearing or civil action under federal and state special education laws, nor are any notes of the mediators accessible to the parties.

Discussions that occur during the mediation process shall be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings. Signing the conference participation log, shall be considered a pledge to maintain confidentiality of the mediation discussions.

Date:	
School System:	Location:
Mediator:	
Participants:	Representing: