



COMMONWEALTH OF VIRGINIA
Department of Education
Division of Special Education and Student Services
Office of Dispute Resolution & Administrative Services

MEDIATION EXPECTATION AGREEMENT
2015 - 2016

Requirements for participation as a mediator

Mediators participating in Virginia's Statewide Special Education Mediation System (SSEMS) are expected to meet the following key requirements:

1. Compliance with all timelines for case scheduling and resolution, submission of forms related to each case, and submission of invoices and travel reimbursements.
2. Removal of self from any case where there is a conflict of interest.
3. Observation of mediation session parameters.
4. Maintenance of confidentiality of all parties involved in mediation.
5. Maintenance of confidentiality of all records related to a mediation, including written and electronic correspondences, forms, mediation agreements, any student education records.
6. Participation in all training designated by the Virginia Department of Education for mediators.

Evaluation of Mediators

Mediators are evaluated annually by the Coordinator of Mediation Services. Mediators agree to provide the Virginia Department of Education with any relevant or requested documentation required to assist in this evaluation.

Removal from the Mediator List

A mediator may be removed by:

- submitting a letter of resignation to VDOE's Coordinator of Mediation Services;
- violating a provision of the Mediator Expectation Agreement;

- refusing a case assignment without reasonable cause;
- engaging in conduct that adversely affects the mediator's impartiality or the performance of duties as a mediator;
- persistently failing to carry out the responsibilities of a mediator; or
- receiving evaluation(s) with ratings of poor performances.

The Coordinator of Mediation Services provides guidance to mediators through technical assistance on cases, reviewing results of evaluations with the mediator, and responding to any concerns received from consumers.

In the event that removal of a mediator is necessary, the following steps for removal will be initiated:

1. The Coordinator of Mediation Services will issue a letter to the mediator indicating the mediator's removal from the list of VDOE Special Education Mediators, the basis for such removal, and the options regarding appeal.
2. Upon notification of the removal, the mediator may, within 10 calendar days of the postmark of the letter of notification, request of the Director of Dispute Resolution and Administrative Services reconsideration of the decision. Such request must be in writing and contain any additional information desired for consideration. The Director shall render a written decision within 10 calendar days of receipt of the request for consideration.

Payment Schedule for 2010-2011

- \$650 per case convened
- \$200 per mediation for preparation

I have read and understand the conditions set forth in this Mediator Expectation Agreement, 2011-2012. I further understand that this agreement represents the entire agreement between the Commonwealth of Virginia, Virginia Department of Education, and the Mediator.

Signed

Date

Please forward to Art Stewart by July 4, 2011