



## DISPUTE RESOLUTION MEDIATION QUICK GUIDE



### MEDIATION IS...

A process required by the Individuals with Disabilities Education Act (IDEA)  
Student-centered \* Issue-focused  
Free to parents and school districts \* Confidential \* Voluntary

### DEFINITION

**Mediation: A voluntary, confidential, and structured** process during which a [trained] [State Department of Education] (SDE)-contracted trained individual is appointed to serve as an impartial and neutral third party to help parents and school districts resolve an IDEA-related conflict. Mediation usually results in a **written, legally-binding agreement** that is mutually acceptable to both parties and enforceable in court.

-- [Idaho Special Education Manual 2018](#), Glossary

Mediation aims to build positive working relationships, encourages mutual understanding, and helps the parties focus on their common interest – the student.

### WHAT HAPPENS?

- **Prior to** a mediation session, the assigned mediator will contact the parent and the school district to develop a shared agenda. Parties may select up to three individuals to attend.
- At the **beginning** of the meeting, the mediator sets the meeting norms and explains the mediation confidentiality requirements. An acknowledgment of mediation confidentiality may be voluntarily signed by attendees.
- **During** the mediation session, a mediation agreement will be drafted as the mediator leads the attendees through the process of presenting concerns, hearing from all participants, problem-solving, and working toward a resolution.
- At the **end** of the mediation session, a finalized, legally binding mediation agreement will be signed to the extent an agreement is reached by the parties.

### FOLLOWING MEDIATION

- All discussions that occurred during the mediation session are **confidential**.
- The school district and parents are expected to **implement** the mediation agreement.
- The mediation agreement may be shared with others for implementation purposes.
- An IEP can be amended as part of the mediation agreement.

### TO LEARN MORE OR TO REQUEST MEDIATION

Visit the [Dispute Resolution Webpage](#) on the [Idaho State Department of Education](#)'s website

Call: (208) 332-6912 or (208) 332-6914

Email: [disputeresolution@sde.idaho.gov](mailto:disputeresolution@sde.idaho.gov)