

**MEDIATION IMPASSE AGREEMENT**

This Mediation Impasse Agreement is entered into by and between [Complainant Name] \_\_\_\_\_ (“Complainant”), and [Respondent Name] \_\_\_\_\_ (“Respondent”), hereafter collectively referred to as the “Parties.”

We, the undersigned Parties, have participated in mediation session(s) on: (Date(s)) \_\_\_\_\_ regarding (Student) \_\_\_\_\_, age \_\_\_\_.

**WITH COMPLAINT:**

Complainant(s) have/has filed a [due process complaint/state complaint] alleging that Respondent:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OR W/O COMPLAINT:**

Complainant(s) have/has requested mediation with Respondent in order to resolve the following disputes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In spite of good faith efforts, the Parties have been unable to resolve their disputes.

The Parties pledge that all mediation discussions will remain confidential and understand that these discussions may not be used as evidence in any subsequent due process hearing or civil proceeding.

The Parties further pledge that the mediator who conducted this mediation shall not be placed on a witness list or subpoenaed to testify concerning any mediation communications at a due process hearing or civil action under federal and state special education laws. Further, the Parties understand that no mediation communications or notes of the mediator are accessible to the Parties. C.R.S. § 13-22-307(2).

\_\_\_\_\_  
Date

Complainant:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Respondent Educational Representative with authority to bind the Educational Agency:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE: THIS MEDIATION IMPASSE AGREEMENT SHOULD BE SIGNED BY EACH AND EVERY PERSON WHO PARTICIPATES IN THE MEDIATION – SEE ADDITIONAL SIGNATURE SHEET.**