

A stylized graphic on the left side of the slide. It features a black graduation cap with a blue tassel and a blue circular element below it. A thick, green ribbon-like shape curves across the slide, starting from the bottom left and moving towards the top right. The main title is centered in large, bold, black font.

Navigating the Dispute Resolution Process in the Information Age

Georgia Department of Education
Division for Special Education Services and Supports
1870 Twin Towers East
Atlanta, Georgia 30334

In this session:

- Overview of the dispute resolution process
 - Statistics/data
- CADRE Continuum
 - 5 stages
- Strategies for avoiding disputes
 - Discussion, examples, nonexamples
- Q and A

KWL

- What do you **K**now about dispute resolution?
- What do you **W**ant to know about dispute resolution?

- For later...
- What have you **L**earned about dispute resolution?

Federal Regulations

- 34 CFR 300.500 Responsibility of SEA and other public agencies
 - Implementation of the procedural safeguards
- 34 CFR 300.509 Model Forms
 - SEA must develop model forms to assist parents and public agencies...
- SEA must make dispute resolution processes available at no cost

Special Education State Board Rule

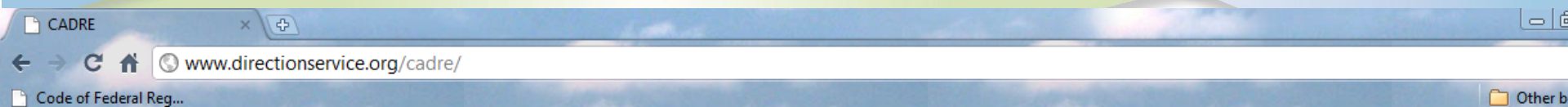
- 160-4-7-.12 Dispute Resolution
 - (1) Complaint Process
 - (2) Mediation Process
 - (3) Impartial Due Process Hearings

http://www.gadoe.org/ci_exceptional.aspx?PageReq=CIEXCDispute

CADRE

- **CADRE is the National Center on Dispute Resolution in Special Education**

<http://www.directionservice.org/cadre/>



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The National Center on Dispute Resolution in Special Education

"Encouraging the use of mediation and other collaborative strategies to resolve disagreements about special education and early intervention programs."

- Home
- CADRE Continuum
- Literature Database
- Español
- Additional Resources
- State Information
- Calendar

Dispute Resolution State System Profiles

Resource Showcase

Process / Function/Element	Facilitation	Mediation	Complaints
Overnight	2 items	4 items	8 items
Professional Standards	4 items	9 items	5 items
Outreach	3 items	6 items	2 items
Evaluation	9 items	2 items	3 items

Video Resources

About the Exemplar Collection and Other Resources

Top CADRE Downloads:
The Impact of Parent/Family Involvement on Student Outcomes [click here](#)
Educating Our Children Together: A Sourcebook for Effective Family-School-Community Partnerships [click here](#)

View a four and a half minute video overview of CADRE.
[CADRE Video Overview](#)

In August 2010, the Technical Assistance Coordinating Center (TACC) produced a video of Marshall Peter describing CADRE.



[Click here to view video](#)

Working Together:
Building Improved Communication

[CLICK TO ENTER](#)

[Part C Table 4 Summaries](#) The National and State Part C Table 4 Summaries for 2004-05 through 2008-09 are now available.

[Nuevos Videos en Español de CADRE en la pagina de Español](#)

[Updated Annual Performance Report and State Performance Plan Dispute Resolution resources available here!](#)

Subscribe to The CADRE Caucus

[WHAT'S CADRE CAUCUS?](#)

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CADRE Continuum

Stages of Conflict	Stage I			Stage II			Stage III			Stage IV			Stage V					
Levels of Intervention	Prevention			Disagreement			Conflict			Procedural Safeguards			Legal Review					
Assistance/ Intervention Options	Participant & Stakeholder Training	Stakeholder Council	Collaborative Rule Making	Parent-to-Parent Assistance	Case Manager	Telephone Intermediary	Facilitation	Mediation Hybrid Models	Ombudsperson	Third-Party Opinion/Consultation	Resolution Session	Mediation Under IDEA	Complaints	Due Process Hearing	Hearing Review (Tier II)	Litigation	Legislation	
Dimensions that help clarify placement of the options along the Continuum	Third-Party Assistance									Third-Party Intervention								
	Decision Making by Parties									Decision Making by Third Party								
	Interest-Based									Rights-Based								
	Informal & Flexible									Formal & Fixed								



Developed by CADRE
www.directionservice.org/cadre/continuum.cfm



Prevention

- Participant and Stakeholder Training

Prevention

- Stakeholder Council

Prevention

- Collaborative Rule Making

Disagreement

- Parent-to-Parent Assistance

Disagreement

- Case Manager

Disagreement

- Telephone Intermediary

Conflict

- Facilitation

Conflict

- Mediation Hybrid Models

Conflict

- Ombudsperson

Conflict

- Third-Party Opinion/Consultation

Procedural Safeguards

- Resolution Session

Procedural Safeguards

- Mediation Under IDEA

Procedural Safeguards

- Complaints

Procedural Safeguards

- Due Process Hearing

Legal Review

- Hearing Review

Legal Review

- Litigation

Legal Review

- Legislation

How to Avoid Disputes

- Return Phone Calls
- Listen Attentively
- Be Responsive
- CADRE Video Resources

<http://www.directionservice.org/cadre/exemplar/videos.cfm>

How can you become an excellent listener?

1. Devote a chunk of time to listening. Ten minutes or more where your only agenda is to help the other person feel heard.
2. Use open body language. Face the person squarely, keep an open posture without arms or legs crossed, make good eye contact, and nod appropriately to indicate you are paying attention.
3. When you find yourself "thinking about how you plan to reply" instead of listening, put those thoughts aside for a time.
4. Resist forming judgments at this time, instead seeking to fully understand things through "their eyes."
5. If you get lost or you want to make sure you are capturing what they say, summarize for them. "Let me make sure I understand. You're saying..."
6. Observe your own inner reactions to listening. Is it hard to avoid jumping in with your own views? Do you find yourself being judgmental in your own mind?
7. Commit to practicing deep listening on a regular basis. Observe the difference it makes in your life and that of others

How to Avoid Disputes

- **Develop local procedures and materials to ensure compliance with IDEA 2004 and Special Education State Board Rules**
 - **Provide resources for reference to staff and parents**
 - **Establish a small committee to update system training materials**
 - **Plan annual training for special education staff and school administrators**

- **Provide training to develop effective communication with parents**

- **Skills for effective meeting facilitation**
- **Managing conflict in a meeting**

- **Think about email communication**

- **Importance of prompt response**
- **Confidentiality issues**
- **Open records document**

▪ Review Specialized Health, Mobility or Behavior Intervention Plans

- Discuss health, mobility or behavior plans before there is an issue
 - Inform school administrators
-
- Familiarize school administrators with
 - Discipline Procedures for SWD
 - Manifestation Determination
 - IDEA Definition - Change of Placement

Tips for Teachers

Special Education teachers have an important role in supporting students in the general education environment. Taking these proactive steps can make a difference in avoiding conflicts:

- **Inform administrators of IEP requirements**
- **Build collaboration for the school team with parents**
- **Communicate often with general education teachers**
- **Teach expectations to students**
- **Provide and ensure that general education teachers understand accommodations and behavior intervention plans**

What are you doing in your district to keep the oceans calm ?



Everyone faces mountains of paper when preparing for a hearing.....



Additional Web Resources

Consortium for Appropriate Dispute Resolution
in Special Education (CADRE):

<http://www.directionservice.org/cadre>

OSEP's IDEA website:

<http://idea.ed.gov>

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Additional Information

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