

What is ADR?

ADR is an informal method of settling disagreements that may arise during the IEP process. ADR uses specific strategies to open communication, promote understanding, and reach agreements that support and strengthen relationships. ADR is designed to meet the interests of the parties involved to result in a mutually agreeable outcome, rather than a decision solely made by a third party, hearing officer, or judge.

How do I start the process?

Contact the SLO SELPA at (805) 782-7301 or visit www.sloselpa.org and click on Parent Resources

How do I benefit from ADR options?

Confidential

Everyone involved in the ADR process agrees to maintain confidentiality.

Satisfaction

The process is more satisfying than legal action because ADR allows parties in conflict to control and shape their own agreements.

No Cost

ADR options are provided at no cost.

Fast

Formal state-level Due Process has a 45-day timeline. ADR options do not delay the 45-day timeline for Due Process, but can move action forward more quickly.

ADR is Voluntary

All ADR activities are voluntary and mutually agreed upon by the parents and district. The goals are to reach local resolution of disputes, maintain positive relationships, and ensure an appropriate education for the student.



SAN LUIS OBISPO COUNTY

SELPA

Include • Engage • Inspire

Alternative Dispute Prevention and Resolution

Informal Alternatives
to Resolve Special
Education Disputes

www.sloselpa.org





The Role of SELPA in Disputes

The San Luis Obispo County SELPA provides Alternative Dispute Prevention and Resolution activities for parents and schools within the county. The SELPA staff offer conflict resolution related to procedural and substantive special education compliance issues for LEAs and other agencies. Student specific disputes between parents and districts can often be resolved by providing suggestions and options to avoid state mediations, due process hearings, and/or compliance complaints. The SELPA staff, upon request, work with parents and school districts to explore issues and find solutions through the structured processes on the ADR Continuum listed in the table to the right.

The Difference Between Local ADR and State Due Process Hearings

Local ADR







A local Problem Solving/Dispute Resolution session is a voluntary, confidential, informal meeting at which the parties agree to communicate and cooperate in a non-adversarial atmosphere with an experienced facilitator who will guide them through a process to seek consensus and a local, legally binding agreement.

State Due Process Hearings

Due Process refers to the legal procedures that can be raised when there is a concern that certain principles or practices have not been followed for children with special education services. A parent can request state mediation with an Administrative Law Judge, provided by the Office of Administrative Hearing with the goal of reaching a mutually agreeable settlement.

ADR CONTINUUM

SELPA STAFF WILL LISTEN TO YOUR CONCERNS AND IDENTIFY A PROCESS TO HELP

 SELPA CONFERENCING	 SELPA COACHING	 IEP PROCESS SUPPORT	 FACILITATED IEP	 LOCAL RESOLUTION SESSION	 OAH RESOLUTION, MEDIATION, AND HEARING
When requested, the SELPA staff will conference with parents or district staff to intervene early, offer suggestions, and resolve concerns.	Staff is available to meet with teams or parents to coach and consult on helpful resolution strategies, effective communication techniques, and options for resolving conflicts. A coaching relationship is for those who are ready to learn, grow, and show up differently.	Staff is available to support the IEP process and determine needs on an individual case basis. Support may include case analysis, team-building skills, meeting agenda preparation, process preparation, supporting meaningful participation, and/or attending IEP meetings.	This is a formal IEP meeting facilitated by a neutral facilitator. The process is designed to help the IEP team build relationships, focus on the IEP content and the student, and work toward positive outcomes.	A problem-solving method that brings parties together to reach a mutually satisfying agreement with the guidance of a facilitator. The session allows parties to listen and express their points of view. If agreement is reached, the specifics are put in writing and signed by all parties.	A parent can file a complaint with the Office of Administrative Hearing. If the issue is not resolved in a resolution session, the matter will proceed to mediation. If mediation is unsuccessful, the issue will proceed to a Due Process hearing. The goal is to reach a mutual agreement as early in the process as possible to move forward.