

South East SELPA

Alternative Dispute Resolution (ADR)



What is Alternative Dispute Resolution (ADR)?

The South East SELPA offers the Alternative Dispute Resolution process to help resolve conflicts between schools and families with children with special needs within our District.

Alternative Dispute Resolution (ADR) is an agreement where two parties can settle disputes with the assistance of a third party. The third party will be an ADR Coordinator/Facilitator.

Like all ADR activities, these are voluntary and mutually agreed to by the district and parents. The goal is to reach local resolution of disputes, maintain positive relationships between parents and the district, and insure an appropriate education for the student.



Local ADR Components

ADR Intake:

ADR Intakes can come in the form of a phone call, written letter, written notice from Procedural Safeguards Referral Services with CDE or a potential due process. During the intake, a SELPA ADR Coordinator will gather information and the concerns of both the families and the school district. The Coordinator will identify a process that will assist in meeting the needs, coordinate the meetings and monitor ADR activities.

Conferencing:

The SELPA ADR staff is available to conference with the parents or district staff to intervene early, offer suggestions, and resolve concerns.

IEP Facilitation or Collaborative IEPs

This process provides a choice of additional elements to facilitate or guide the IEP team meetings, including pre-meeting preparation through follow-up tasks. The trained Coordinator will use specific strategies to ensure both parties are heard and the relationship between the parties is maintained. The outcome of the facilitated or collaborative IEP is a signed IEP which has been developed collaboratively and with agreement between the LEA and parents.

Dispute Resolution Session

The ADR Coordinator/Facilitator schedules a session that brings the disputing parties together to reach a mutually satisfying agreement with the guidance of a trained, impartial mediator. This session allows both parties to listen and express their point of view.

The mediator will help the parties try and find a solution that is acceptable to both parties.

If an agreement is not reached, either party can file for Due Process

Benefits of ADR



- **Less cost:**
ADR options are provided at no cost.
 - **Faster:**
Formal state level Due Process has a 45-day timeline. Use of ADR options does not delay the timeline for Due Process.
 - **Convenient:**
Meetings are held at a site mutually agreed upon by both parties.
 - **Confidential:**
The ADR process is confidential for all parties involved.
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Is local ADR mandatory?

No, local ADR Resolution sessions are voluntary and based upon both parties wanting to reach a fair and equitable agreement. Parents and districts are free to withdraw from the process.

Who do I contact regarding ADR for SE SELPA?

Rozina Kapadia
Program Specialist
(408) 223-3772
rkapadia@mpesd.org



South East SELPA
Making a Difference

Contact the Southeast SELPA office (408)223-3772 and speak to an ADR Coordinator/Facilitator who will listen to your concerns and help identify issues. Information about special education laws and practices may be provided, if relevant, and a referral may be made to others who can appropriately work with issues.

The Coordinator/Facilitator will provide additional information about the various ADR components.

If a meeting is requested, the Coordinator/Facilitator will assist the interested party in contacting the LEA of the student to request a meeting.