



FAQ for Alternative Dispute Resolution

If you are not able to find an answer to your question about the Alternative Dispute Resolution and Collaborative Conference process on this website, you may contact Ricki Jo Scott at: 415-420-9198 or scottr@sfusd.edu

What is Alternative Dispute Resolution (ADR)?

Alternative Dispute Resolution (ADR) involves providing alternative means of solving problems that arise between families and schools. ADR allows the parties in conflict to control and shape their own agreement. Collaborative working relationships between parents and district personnel is not only maintained, but often improved. The ADR program involves everything from training parents and educators in effective communication and negotiation skills to conducting local informal Collaborative Conferences. The intent of this program is to maintain positive relationships between families and school district staff.

- ADR Brochure ([English](#)) | ([Spanish](#)) | ([Chinese](#))

Who can make a request to be a part of the ADR process?

Any parent, educational rights holder, case manager, a service provider, principal or district personnel may request information about the ADR process at SFUSD to resolve disputes regarding identification, evaluation and assessment, eligibility determination, placement or the provision of appropriate early intervention services for an individual child or family. Parents working with our ombudsperson Laura Savage, Support for Families, the Community Advisory Committee or Foster Youth Community may also work with families to be a part of the ADR process. ADR is **voluntary** and the decision to participate lies with the parent. . When a parent requests a Collaborative Conference all other participants must participate. A parent may request a Collaborative Conference in addition to filing a CDE complaint.

What happens when I call to inquire about the Alternative Dispute Resolution process?

The ADR Program Administrator listens to your concerns and helps you clearly identify the problems and conflicts. Information about laws and regulations may be provided. Referral may be made to others who may more appropriately and directly work with your issues. The ADR Program Administrator contacts the other participants to gain understanding of each of their perspectives. If you decide to go further into the ADR process and request a Collaborative Conference, consent forms will be sent to you.

What is the Collaborative Conference?

The two-hour Collaborative Conference is a no-attorney zone to bring disputing participants together for the confidential discussion of complaints needing resolution. A skilled, experienced Facilitator certified in mediation practice and trained in the policies, procedures and law of special education facilitates the informal meeting in order to reach a mutually satisfying agreement. The goal is to create a positive, peaceable approach to finding student-centered resolutions. There is no requirement that parents choose this alternative. The Collaborative Conference is voluntary, optional and completely confidential. Additionally, the content of what is discussed during a Collaborative Conference, including any information exchanged regarding any provided materials, is to remain confidential and shall not be repeated in a future forum. If at any time a family does not want to continue with the Collaborative Conference, they can end their participation and all other complaint resolution options continue to be available.

When can a request for a Collaborative Conference be made?

A Collaborative Conference can be requested at any time. A Collaborative Conference may be requested alone or simultaneously with a request for a due process hearing. A request for a Collaborative Conference may also be requested when filing a complaint.

How can a Collaborative Conference be requested?

If you wish to request a Collaborative Conference, the ADR Program Administrator will assist you with scheduling a date and time for the conference. Once you have spoken with the Program Administrator about your dispute or complaint, you will be informed of next steps. A Collaborative Conference invitation letter and release of information will be provided to you, along with a consent form and scheduling form. Please complete all requested information, sign the forms and return them to the Administrator as soon as you can for immediate scheduling of a Collaborative Conference. The Administrator will alert The Bar Association of San Francisco of the scheduling request. The Bar Association will schedule a member of the Special Education Facilitator's Panel to facilitate a Collaborative Conference between you and the school district as soon as

possible. The ADR Program Administrator will alert you and the participating school personnel by phone and email of the scheduled date and time of your conference.

Where and when will the Collaborative Conference take place?

Collaborative Conferences will be held at:

- Support for Families of Children with Disabilities at 1663 Mission Street OR
- Leola M. Havard Early Education School at 1520 Oakdale Avenue OR
- The Bar Association of San Francisco at 301 Battery Street

Conferences are generally scheduled on Tuesdays or Thursdays from:

- 10:00 - 12:00
- OR
- 1:00 - 3:00

Conferences may also be scheduled in the evening between 4:00 - 8:00 upon request.

Interpreters can also be arranged and every effort will be made to allow for childcare services when needed.

Who may participate in the Collaborative Conference with me?

A parent may request a support person to attend the Collaborative Conference so long as the person is not an attorney nor a non-attorney advocate who will act as a representative to speak for you.

How do I know if ADR is right for me?

Families are encouraged to use the informal Collaborative Conference session if they have issues or concerns that have not been successfully addressed through the IEP process and other tiers of resolution. This process is highly suggested as an alternative to filing for due process or district mediation. The Collaborative Conference is an available resolution step in the spirit of building partnerships between SFUSD and families. It is available as a way to keep communication and understandings clear.

How will this impact my student's IEP?

Participating in a Collaborative Conference may speed up the resolution process and give clarity to issues and concerns to inform decision-making processes. A family's decision to participate in a Collaborative Conference does not negatively impact the IEP process.

Does a Collaborative Conference change my ability to file a due process claim or proceed with one already filed?

The Collaborative Conference session(s) are voluntary, confidential and completely independent of any complaint, formal or informal, that may have already been filed or that will be filed in the future. The Collaborative Conference is specifically in place to assist the school district and families to communicate more effectively and find a solution that is best for the student. Should the Collaborative Conference not result in a satisfactory resolution, a complaint already filed through due process or the California Department of Education may continue.

Where will the Facilitators come from and how do you decide who the facilitator is for the Collaborative Conference?

The Facilitators are licensed California attorneys who are trained and certified in mediation and are available through The Bar Association of San Francisco's Mediation Services Program. They have received special training regarding the Special Education IEP process and the processes of SFUSD.

Facilitators are chosen due to logistical needs such as dates and times the family chooses to hold the conference as well as substantive - which facilitator has the most knowledge in the issues related to the student and family's needs.

What occurs during the Collaborative Conference?

The two-hour Collaborative Conference is free and is a no-attorney zone for the confidential discussion of complaints needing resolution. A skilled, experienced Facilitator certified in mediation practice and trained in the policies, procedures and law of special education facilitates the informal problem solving meeting. The goal is to create a positive, peaceable approach to finding student-centered resolutions and may be held before or during filing for a due process or compliance complaint. The content of what is discussed during a Collaborative Conference, including any information exchanged regarding any provided materials, is to remain confidential and shall not be repeated in a future forum.

A Facilitator calls the parent and calls the district participant prior to the Collaborative Conference to gain each participant's understanding. During the conference the Facilitator encourages open communication between participants and helps to create a safe environment. Near the end of the two-hour session if an agreement is reached, the specifics are put into writing and signed by all parties. If the participants think that an additional two hours would assist in coming to an agreement, one more two-hour Collaborative Conference can be scheduled during the 2016 - 2017 school year.

What will be the end result of the Collaborative Conference?

The positive objective of the Collaborative Conference is two-fold: To produce a better understanding and working relationship between parents and the school district and ideally, a mutually acceptable agreement to resolve differences. A written agreement that may result from the Conference will clearly articulate the specifics of the understanding reached by both the school district and family. An IEP meeting will be held following any facilitated conference to make the agreements legally binding.

Is there a cost to participate in a Collaborative Conference?

There is no cost to parents to participate in a Collaborative Conference.

How long is the Collaborative Conference?

The Collaborative Conference sessions will last two hours and up to two, two-hour sessions may be requested.

What are the benefits to participating in a Collaborative Conference?

Parents participating in the conference have the opportunity to gain insight on the decisions of the school district, negotiate their own position in an informal, non-intimidating space and reestablish lines of communication to aid in serving students. The goal of the Collaborative Conference is to achieve an early student-centered resolution. The process is effective, free, convenient, voluntary, empowering and absolutely confidential.

What happens after the Collaborative Conference and an agreement is reached?

When the Collaborative Conference is complete, a final written agreement will be prepared by the Facilitator and turned into the Program Administrator. Parents and the participating school personnel will receive a survey to provide feedback and evaluation of the conference. Parents are highly encouraged to complete this survey after the conference so that the school district is aware of your experience and can make improvements when needed. Surveys are optional and are completed at the end of the Collaborative Conference and collected by the ADR Program Administrator. Once an IEP meeting is scheduled and held, the signed IEP makes the agreement legal.

What if an agreement is not reached?

If the Collaborative Conference does not produce an agreement between you and SFUSD, you may choose to address your complaint through other available processes. [ADR Continuum](#)

What are my rights during the Alternative Dispute Resolution (ADR) process at SFUSD?

ADR in no way is intended to impede the IEP process. It is your choice to elect or reject this process and you may opt out of continuing with a Collaborative Conference at any time. Everyone involved in the ADR process is bound by agreement and law to maintain confidentiality. There are no guarantees that the Collaborative Conference will lead to a written agreement. When an interpreter is needed, an interpreter will be provided by the district or Support for Families throughout the entire process. If the Collaborative Conference does not produce an agreement between you and SFUSD, you may choose to address your complaint through other available processes. Your participation in the Collaborative Conference does not jeopardize any rights you have or may choose to exercise later through other processes.