

Marshall Peter

CADRE & the Future of Exemplary Practices

CADRE's Fifth National Symposium on Dispute Resolution in Special Education

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MARSHALL PETER: So it's a real treat to see so many good friends and generous collaborators here in Eugene. Attending the symposium is no trifling matter when you consider the investment in time and money that's required. It represents as much as five days away from family, the office, and other responsibilities. I'm reminded of an icebreaker exercise in which participants write down everything they could, would, or should be doing other than attending the meeting. They are then instructed to crumple the list into a ball and throw it at the facilitator. While we won't take time to do that process now, and quite frankly I'm not sure I'd recover, I hope that you'll be able to participate with the enthusiasm and fullness of spirit that has characterized past symposia. I'm always struck by the remarkable generosity that you epitomize, struck by your willingness to share your best work and to learn from one another in this community of practice, and your continuing commitment to improvement. This symposium represents a great opportunity to reconnect with old friends and develop new relationships that will last long after the conclusion of the meeting. We're excited about that and hope that you are too. October 1st marked the 35th anniversary of Direction Service and the 13th anniversary of CADRE's beginnings. 35 years ago, my dear friend and mentor, Dick Zeller, hired me to be a parent advocate at Direction Service, and in doing so provided me with an amazing opportunity to get to closely know and partner with many families who, against remarkable odds, were persevering and achieving success for themselves and their children. Families who are raising children with disabilities are powerful examples of indomitable spirit. As we think about conflict management, it's important to be clear that when concern -- when cornered and with no seeming way out, all of us will fight for our children, for their right to opportunities and options that will let them live the fullest lives possible. 20 years ago, my wife and I found ourselves in just such a fight, requesting a due process hearing when it seemed like the only way to get our daughter, Alana, the education program that she was entitled to. We were fortunate that the two attorneys who represented us, my dear friend Barb Bateman -- I know,

Barb, are you here in the room? Barb will be here speaking. My dear friend, Barb Bateman, and her co-counsel, Andy Clemen, were successful in that an agreement was reached prior to the hearing that fully addressed all of our concerns. What that victory couldn't give us back were the sleepless nights, the tension in our relationship that was a byproduct of the seemingly interminable wait for resolution, and the broken friendship and trust between us and Alana's school staff. Now, 20 years later, my blood pressure still jumps thinking about it, and it's hard for Susan and I to discuss it without reliving the anxiety and the anger. Even without a hearing, the price that we and others paid was enormous. CADRE is incredibly fortunate to work with a national network of people committed to a better way of doing things. I recently read an opinion piece that used the word apocaholics. It recognized that throughout history, there are always those who believe that we're on the brink of an apocalypse. When I googled apocaholics, I was surprised to see suggested that apocaholics anonymous groups were forming that were committed to giving up the adrenaline rush of media-led fantasies. These are extremely challenging times. Today, messages of impending doom are commonplace. They are complicated by our divisive politics and suggest that we are witnessing the fundamental unraveling of our financial and social policy systems. What's clear is that in much of the country, the ability to offer quality educational and human services has been decimated, and hard work seems to no longer be the path to a reasonable quality of life. It isn't fair, especially for young people and people of color. Yet, to quote Martin Luther King, "The arc of the moral universe is long, but it bends toward justice." Human beings have overcome seemingly insurmountable challenges before. We've done that by coming together to find common ground, something all of us in this field are committed to in our daily work. As I look out at the folks in this room, I see a group of national leaders representing system managers, parent leaders, practitioners, and technical assistance providers. As a group, you're dedicated, passionate, hardworking, connected, and remarkably generous in your efforts to support one another. As you'll hear throughout this meeting, we've accomplished much that we can be proud of. As we set our agenda for the future, our shared history of accomplishment creates a basis for hopefulness and optimism. If we keep our focus on what we can change and always use the best interests of children with disabilities as our most important consideration, we will

contribute to creating a better world in which mutual respect, mutual benefit, and active collaboration are normative. At CADRE, we have several key areas of focus that we believe deserve our collective attention in the coming years. How can we support early positive engagement between families and schools. Creating opportunities for early, meaningful parent engagement in schools is a critical upstream activity that helps create an environment of trust and mutual regard, and ultimately enhances the capacity to capably address conflict. As we think about this, we need to reach beyond merely informing parents to allowing them to lead. We need to be mindful of the fact that for many families, participating in school activities during the day is impossible. And regardless of the time, may be uncomfortable. How can we fully capitalize on the extraordinary opportunities that technology affords us? Technology continues to explode with abundant choices and opportunities. How can CADRE select and optimally use technology to get high quality resources and learning opportunities into the hands of folks who can use them? How can we do a better job of ensuring that families who are culturally and linguistically outside the dominant culture find opportunities and supports that let them positively engage in the special education process, and effectively advocate for their children? While there is a lack of clear data, I've never heard anyone challenge the assertion that procedural safeguards are very disproportionately utilized by well-educated, affluent white people. It's reasonable to believe that there is a strong correlation between parent advocacy and the quality of educational programs. If we hope to close the achievement gap for students of color and those who receive special education services, we must continually challenge ourselves to find ways to empower and embolden families who may not understand the rules and the important role that they play in the design of educational programs for their children. How can we support research and evaluation in special education dispute resolution that answers critical policy and practice questions such as, what are the costs and benefits associated with different dispute prevention and resolution processes? What are the critical elements of effective practice particular to IEPs and IFSPs, mediation, resolution meetings, complaints investigations and their follow-up, and due process hearings? How can we arrive at and ensure the implementation of agreements in ways that contribute to their durability? What is the relationship between powerful homeschool partnerships and student outcomes? What

investments can state systems make that will have the highest probability of producing improved results? These are just a few of the many areas that deserve our attention. While research may be the purview of special projects funded specifically to address an issue, many of these areas are open to state exploration without necessitating special funding. Durability of agreements, for example, is something every state could examine just through tracking and monitoring of individual cases. As we examine the use of dispute resolution procedures and think about these processes in the abstract, it's important to remember that each hearing, each complaint, every disagreement involves a collection of caring people, many of whom are distressed that they have failed to work out a solution. And we need to remember that each process is about a student who counts on us to do the right thing. It's this high stakes backdrop that makes our work so very important. While we face significant challenges, I'm confident that if we maintain the spirit of collaboration that has been central to our past, and if we continue to lead with our hearts as well as our heads, we'll play a critical role in helping families and schools to develop the shared vision that can powerfully contribute to student success. We at CADRE look forward to joining you in this work. Thank you very much. When CADRE was recomputed, new challenges were put on our table, and hosting a symposium was no longer required. Quite frankly, we've been fully engaged working on required activities. But in spite of a very ambitious work scope, there was a continuing champion among the CADRE staff that kept saying, "We've got to hold a symposium." In spite of my significant trepidation, how are we going to pull it off with all that's going on, while travel restrictions seriously affect attendance? The voice persisted. CADRE staff, especially Noella Bernal, mobilized, and here we are today. That persistent voice belonged to the mastermind behind this symposium, my friend, CADRE's assistant director, and our symposium chair, Philip Moses. Please join me in welcoming Phil, who will introduce our next speaker.