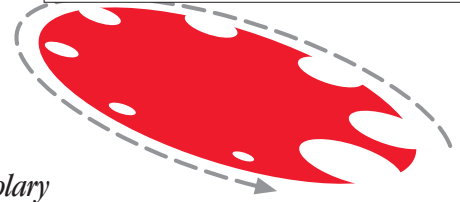


Top Tips

for State Dispute Resolution System Managers



Following an extensive review, CADRE identified four States with exemplary dispute resolution systems that provide effective processes for written complaints, mediation, due process hearings, and alternate dispute resolution. In September 2009, CADRE brought together representatives from each of these States. Dee Ann Wilson of Iowa, Jo Anne Pool Blades of Oklahoma, Kerry Smith of Pennsylvania, and Jack Marker of Wisconsin convened in Eugene, Oregon for a dynamic exchange of ideas and information regarding their dispute resolution systems. CADRE is now analyzing these systems to identify what contributes to their success. Ultimately, we will develop resources that will be useful to other States that are engaged in improvement efforts. A discussion during the September meeting resulted in a list of “Top Tips” that these four leaders believe would be of value to other State dispute resolution system managers. Here’s what they came up with:

- 1** Stakeholder engagement is a critical, non-negotiable component of an effective dispute resolution system. It’s worth the time and effort to build trusted relationships and involve stakeholders. Engaging them in meaningful ways will increase the effectiveness of your entire system.
- 2** Before implementing a new dispute resolution practice, have a clear vision for what you are creating and a firm grasp of your underlying theory (e.g. facilitative model, evaluative model, etc.) Define each process in a way that allows for growth and expansion.
- 3** Have the right people with the right skills in place to implement your vision. Understand your leadership style and learn group facilitation skills in order to motivate and inspire others.
- 4** Assess the way your system is working on a regular basis. Readjust as necessary. Never settle for “that’s how we have always done it.” Your stakeholders will be invaluable in helping you assess whether your system is working or not.
- 5** Don’t be afraid to fail. Be open to new ideas. Allow your staff and stakeholders to think and act creatively. If they have been actively engaged in the process, they will not ‘fault you’ personally for a failure. They will work with you to improve the system.
- 6** One size does not fit all. While there are common threads throughout any successful system, special education dispute resolution systems need to be individualized for each state. Figure out what your state needs by talking to your stakeholders and paying attention to your unique circumstances.
- 7** When you do need to make change, make a plan. Collect data to document an issue or concern. Articulate alternatives based on your vision. Use a skilled moderator or facilitator to bring stakeholders into

the process. At times, you may have to implement change that some stakeholders don't want. Be sure they understand your underlying rationale and motivation.

- 8 A parent's initial contact with your dispute resolution system influences future interactions, for better or worse. The initial intake process 'sets the tone.' Parents can begin to engage constructively when welcomed by a neutral, knowledgeable person able to give information, present options, and offer resources.
- 9 Develop comprehensive and comprehensible systems to track timelines for required dispute resolution processes. Track enough points along each timeline so that you can manage the unexpected and plan for timely resolutions.
- 10 Emphasize early dispute resolution throughout your system; the earlier the resolution, the better. Allow for open communication and be certain that people understand their options. Look continuously for opportunities to find agreement.
- 11 Focus on resolving disputes and building collaboration using a problem solving model. The information provided to parents before a meeting is critical to engaging them in the process as informed and collaborative participants.
- 12 Provide processes and practices that support parents and educators in working together to solve disagreements early, keeping the decision making in their hands. A dispute resolution system is more than just the mandated processes of due process hearings, written complaints and mediation. Parents and educators know the child better than hearing officers or complaint investigators. Keep the focus on the child.
- 13 People often don't read and understand what you send them. Many people do not read the written information you send them. Use a variety of products (videos, website, power points, etc.) to provide information to families and school systems. Phone calls or face-to-face meetings are probably the most effective ways to communicate critical information and verify understanding.
- 14 It is essential to have strong dispute resolution skills training as your foundation. Very few of us were ever trained in dispute resolution skills. This is a skill to be learned like any other — by everyone! Enrich your own understanding of dispute resolution through reading and training. CADRE publications can provide you updated information on the evolving field of dispute resolution.
- 15 Relationships — Relationships — Relationships! Never underestimate the power of relationships. Mend them wherever and whenever possible. This should be Number One!

*For more dispute resolution resources,
visit the CADRE web site: www.directionservice.org/cadre.*

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