

Resolution Meetings

IDEA 2004

An Overview & Experience
Contra Costa and Solano SELPAs

Overview

- Introductions
- Structure for the Time
- Overview of Resolution Meetings
- Activities and Experiences
- Reflections

IDEA Requirements

- A Meeting
- To Clarify Issues
- Required Unless Both Parties Agree Not To Meet

Contra Costa/Solano SELPAs Recommend An Opportunity

- To Facilitate A Discussion of Issues
- To Seek Solution
- To Create Written Agreements
- To Build Relationships

Outcomes For Today

- To understand the purpose of the Resolution Meeting
- To value the participation of a facilitator
- To practice and experience the process required by the law
- To be prepared to participate in a Resolution Meeting
- To give feedback and recommendations regarding the Resolution Meeting process

Reflections

Have you had experiences with Resolution Meetings?



Resolution Meeting Timeline (15 Day Maximum)

Parent provides
complaint or hearing letter
to State and

LEA

before

Timeline Begins

Resolution Meeting Timeline (15 Day Maximum)

- Within 10 Days – LEA provides written response
 - Insufficiency Notice to the Hearing Office if needed
 - Formal Notification Response to Parent
- Within 5 Days After LEA Response – Hearing Office notifies parent of sufficiency of description of issues
- Within 15 Days – Hold a Resolution Meeting

Send a Notice of Insufficiency

- When the issues are unclear
- If you are not clear how the issues relate to:
 - Identification
 - Assessment
 - Placement
 - Services
 - Compliance

Written Notice To Parents

- Nature of the action proposed or refused by the LEA to specifically address the issues raised by the parent
- Explanation of why and description of procedures, assessment, record or report used as a basis for that decision
- Description of other options considered and why those options were rejected
- Description of other factors that are relevant
- Sources for the parent to contact
- Statement that Procedural Safeguards are provided

Do

- Express regret and concern
- Be specific
- Explain reasons
- Be generous now
- Be clear about all conditions
- Be prepared to do what is written

Don't

- Admit non-compliance or liability
- Argue or debate
- Avoid the parent's request
- Wait to make real "offer"
- Mislead or overstate
- Fail to prepare staff to implement offer

Activity: Review the Letter From the Parent

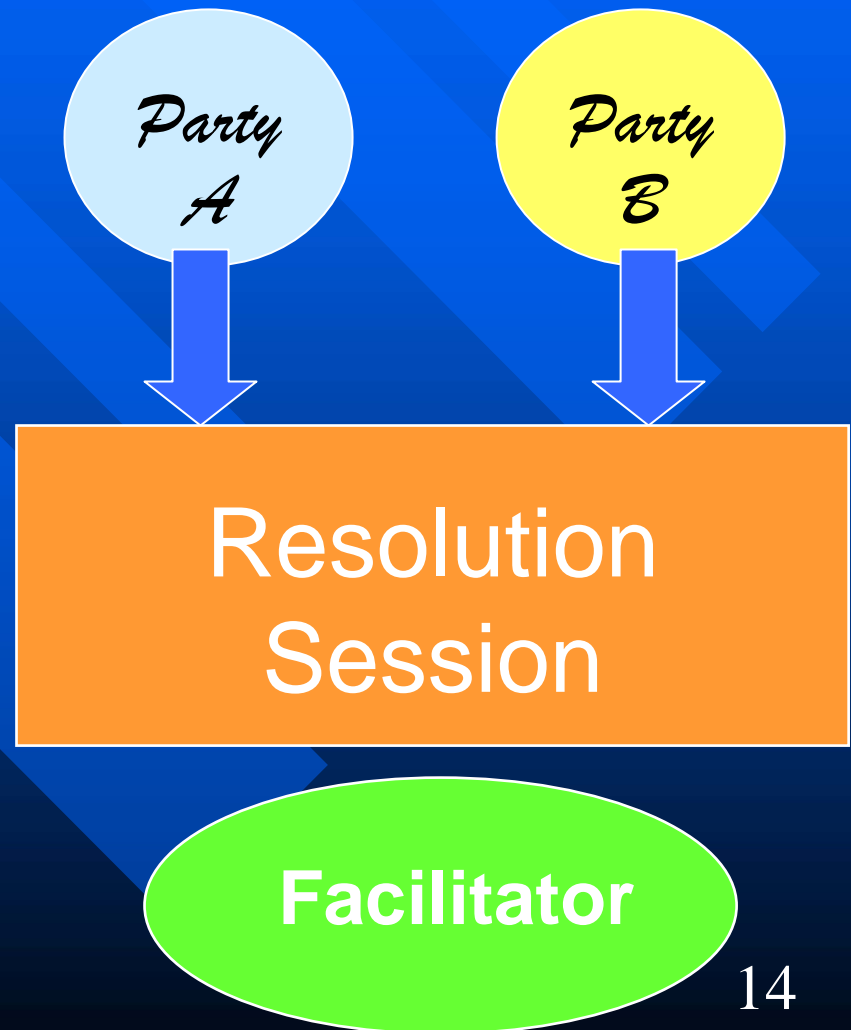
- In Groups
- Identify the Nature of the Problem
- Identify the Proposed Resolutions
- Complete “Nature of the Problem” and “Proposed Resolution” columns on the Resolution Chart
- Report Out to Group

Activity: Examine the Response from the District

- In Groups
- Review the Law
- Find the required “Prior Written Notice” elements in the letter
- Complete the “Response” column on the Resolution Chart
- Report Out to Group

Resolution Meeting

1. Clarify Issues
2. Explore Responses and Options for Resolution
3. Move Each Issue to Closure
 - Develop Agreements
 - Move to Due Process
 - Choose Other Process
4. Notify Hearing Office or CDE of Outcomes



Process Description

- Structured Meeting
- Facilitated by Neutral Facilitator
- District and Parent Participation
- Responding to the Facilitator's Questions
- Use the Parent Letter and LEA Response
- For Each Issue:
 - Nature of the Problem
 - Proposed Resolution
 - Response
 - Agreements
- Seek Opportunities For Solution

Define A Successful Outcome To Include ...

- Clarification of Issues
- Sharing of resolution options
- Consideration of agreements
- Agreement to have issue resolved at the state level (Hearing or Complaint)

Neutral Facilitation

- Fair
- Diligent
- Nurturing mutual respect
- Structuring procedural fairness
- Sharing of information
- Encouraging participation
- Committed to the activity/process

Resolution Session Chart

Nature of the Problem	Proposed Resolution	Response	Agreements
From Parent Letter	From Parent Letter	From District Letter	

Proceed By Questioning

- Open-ended
- Non-Threatening
- Greater Response
- Redirection
- Feedback and Clarification
- Allow participants time to respond
- Close-ended Questions

Role Play Observation

- Demonstration Role Play
- Facilitator Behavior
- Balance of Time
- Relationships
- Were issues addressed?
- Were agreements reached?

Reflections

What did you observe in the demonstration?



Agreements Must Be ...

Specific

Measurable

Attainable

Realistic

Time-accountable

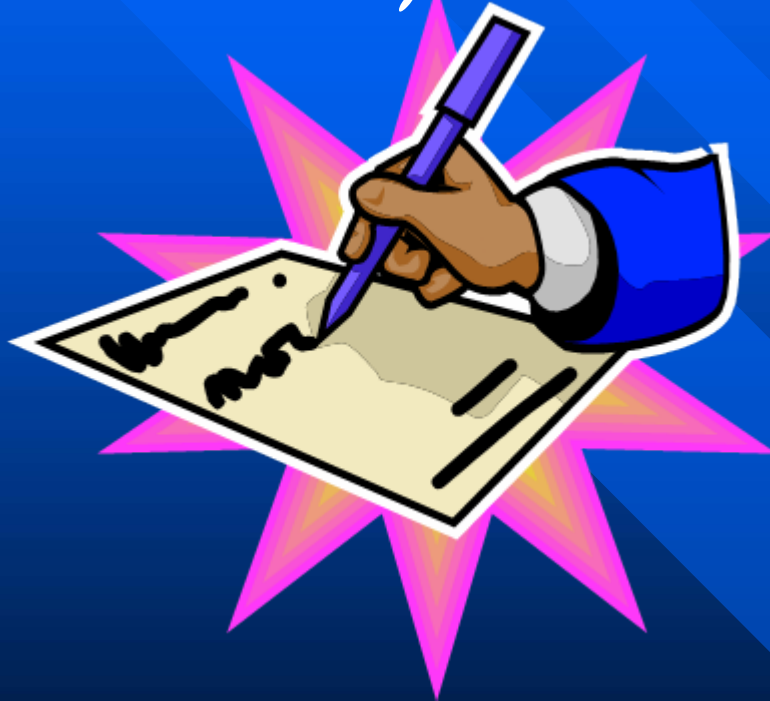
Agreements:

Did You Remember To Include ...

- Effective dates
- Assessment(s)
- Goals(s)
- Service(s)
- Placement
- Compensatory Service
- Reimbursements
- Resolution of all claims
- Future communication
- Legally binding and enforceable
- Notification of CDE or OAH of agreement

Resolution Session

*Agreements Written
And Signed*



1. Develop a resolution which is mutually agreeable to each party
2. Write an agreement with signatures

**Or agree to take to
a hearing judge or
another process**

*Either Party May Rescind
Within Three Days*

Other Options Still Exist

- Local Alternative Dispute Resolution (ADR)
 - Local Mediation
 - Solutions Panels
 - First Response
 - Arbitration
- State Mediation
- State Complaint



Until an Order
Is Issued!

Activity: Write Agreement

- In Dyads
- Use Demonstration Outcomes
- Report Out to Group

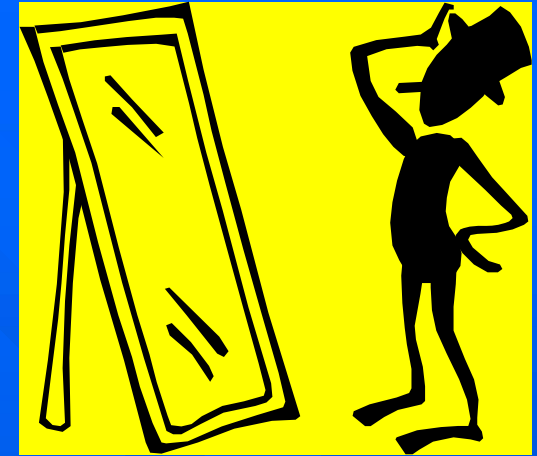
Activity: Try One Yourself

- In Small Groups
- Facilitator
- Parent
- District Representative
- Observers
 - Neutral and safety behaviors
 - Balance of time
 - Relationship and emotional critical moments and outcomes
 - Were all parent issues addressed?

Activity Continued

- Conduct Role Play from the Beginning
- Acknowledge Agreements
(No need to write agreement)
- Observer Report on facilitator's behaviors
- Reflect on Experience in Small Group

Reflections



- ✓ **What preparation is needed?**
- ✓ **Were issues and options clear or clarified by the process?**
- ✓ **How did agreement(s) evolve?**
- ✓ **How did relationships change or survive?**
- ✓ **Any Nuggets or Comments to Share?**
- ✓ **Any Process Recommendations?**