

# INDEPENDENT CHILD ADVOCATE

## Alternative Dispute Resolution Program

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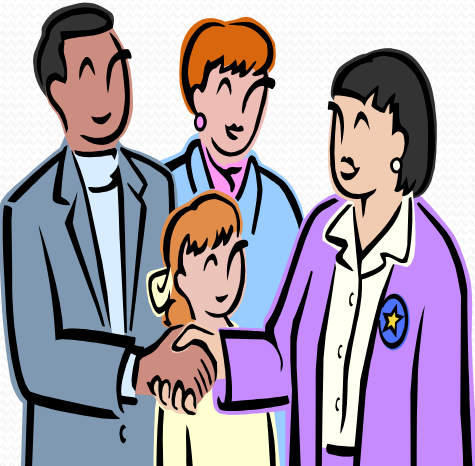
# What is the Independent Child Advocate Program?



- A quick, easy to use, local option for resolving difficult special education disputes between parents and school districts
- A process that supports and guides parents and district staff to collaboratively develop mutually agreeable solutions

# What is the Independent Child Advocate Program?

- A results oriented process
- Focused on meeting the child's needs
- While maintaining positive working relationships between parents and school district staff



# What is an Independent Child Advocate?

- Independent and impartial person available to assist parents, districts and other agencies (probation, juvenile justice, mental health) in resolving difficult and challenging special education disputes
- Similar to an “Ombudsman”

# How is the program funded?

## Who pays?

- 42 Sonoma County (Calif.) school districts fund two Independent Child Advocate positions at a local not-for-profit agency; position are one full-time and one part time, solely dedicated to supporting the districts in resolving challenging special education disputes

# How does the program work?

- An ADR Brochure is distributed at EVERY IEP meeting
- When an issue arises: parent and/or district calls the *ADR Hotline*
- ADR Coordinator completes an intake form and determines the need for the independent child advocate

## How does the program work?

- ADR Coordinator provides Independent Advocate with referral and contact information
- Advocate contacts parent/district within 24 - 48 hours, obtains agreement and gets to work

## What does the Advocate do?

- Independent Child Advocate does whatever is needed to resolve the dispute; may include: a review of the student's file, interviews, home visits, classroom observations, attends meetings



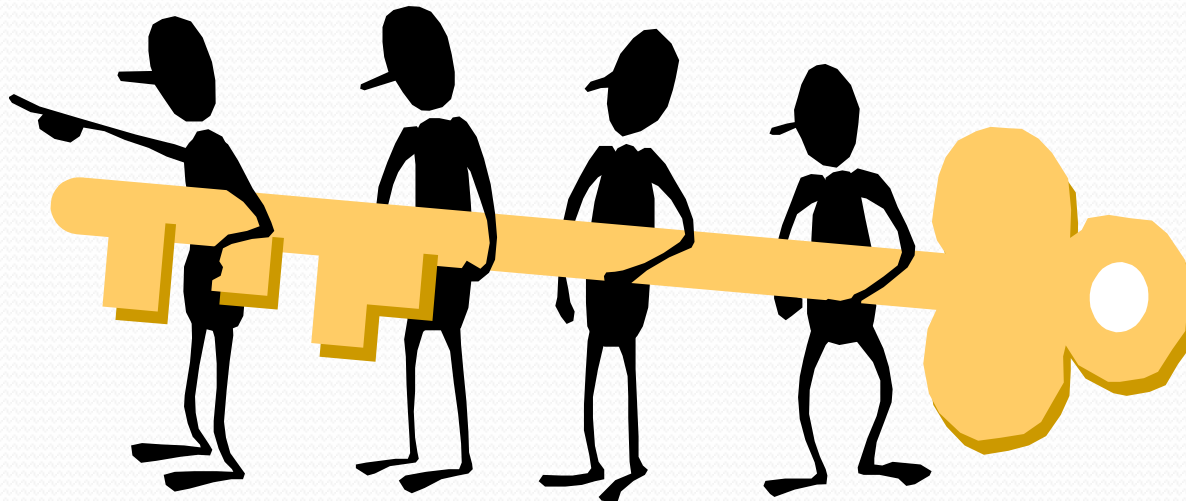


## What might the Advocate do?

- Develops a list of findings and recommendations
- Facilitates a meeting to discuss options for resolving dispute
- Supports the team in implementing solutions
- Makes appropriate referrals

# Program Values

- Open and Honest Communication
- Respectful Relationships
- Conversations: Dialogue, Dialogue, Dialogue



# It's All About Relationships and Having a Conversation



“Human conversation is the most ancient and easiest way to cultivate conditions for change—personal change, community and organizational change, planetary change. *If we can sit together and talk about what’s important to us, we begin to come alive*”...

turning to one another  
simple conversations to restore hope to the future  
By Margaret J Wheatley

# Open and Honest Communication

“We have to slow down. Nothing will change for the better until we do. We are losing the great human capacity (of having conversations) in the speed-up of modern life and it is killing us.”

“We can’t be creative, if we refuse to be confused.”



Turning to one another  
simple conversations to restore hope to the future  
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# Irony of Communication

- Open and honest communication takes time...anything less than total candor saps motivation and ‘dumbs down’ decisions
- The alternatives take longer



# Irony of Communication

- When we give up trying to convince, we become more convincing
- Slower is faster. Taking time to ‘dig deep’ leads to faster and more effective results than the game playing that inevitably follows withholding and/ or other strategies

# Open and Honest Communication

- We will absolutely “uncover” and talk about “elephants” in the room
- There will be no surprises...



# Conflict Resolution

“In great teams, conflict becomes productive. The free flow of conflicting ideas is critical for creative thinking, for discovering new solutions no one individual would have come to on his own.”



Center for Organizational Learning  
Peter Senge  
MIT Sloan School of Management



# Dealing with Difficult Conversations: Dialogue, Dialogue, Dialogue

## ➤ Dialogue:

- A conversation between two or more persons
- An exchange of ideas with a view to reaching an amicable agreement

Random House College Dictionary

# What are the advantages of using this program?

- ICAP is **QUICK**:
  - Begins within 24 – 48 hrs. of request
- ICAP is **EASY**:
  - One call starts the process
- ICAP is **LOCAL**:
  - Maintain control - avoid state intervention
- ICAP is **Cost Effective**:
  - Saves \$\$\$

# History of Success

- In 15 years:
  - 91% of all accepted\* cases have been successfully resolved without state intervention
  - Saving \$\$\$ and time for all
  - Positive parent/district relationships

\*cases worked and completed with agreement from district/parent

# Annual Program Cost:

- Salary, benefits, admin.....\$ 95,000
- Office Supplies..... .\$ 500
- Travel costs.....\$ 4,000
- Telephone expenses.....\$ 1,500
  
- Total Program Costs:..... \$101,000
- 
- Cost of fair hearing.....\$50,0000
  - (Avoid two hearings...you've paid for the program)

# Skills necessary to staff the position:

## ➤ Embrace the spirit of “ADR”

- Integrity and confidentiality
- Knowledge/experience of SPED law
- Effective communicator
- Teaching/classroom experience
- Willingness to listen and “get” parent’s issues;
- Experience in mediation and negotiation;
- Flexibility and willingness to find solutions “outside the box”
- Objectivity and fearlessness (elephant hunting)

# TRUST AND THE ADR PROCESS

- *Together families and districts work collaboratively*
- *Respecting their knowledge as equal partners in the process*
- *Understanding diversity and respecting the values and cultures that exist*
- *Shared responsibility for decision making*
- *Trust leads to building relationships that help meet the needs of children*



For information on the Independent Child  
Advocate Program:

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