



Independent Child Advocate Program



Alternative Dispute Resolution Program
Sonoma County SELPA
&
Social Advocates for Youth
Santa Rosa, CA



What is the Independent Child Advocate Program?

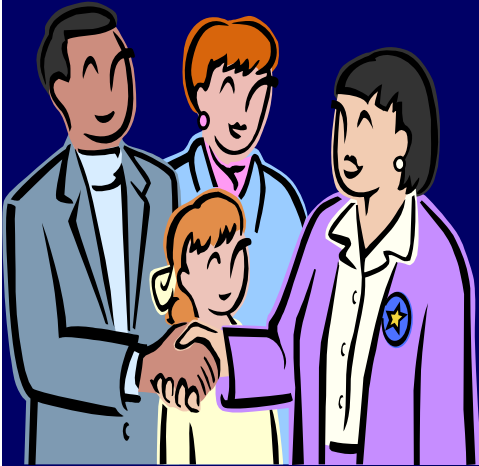


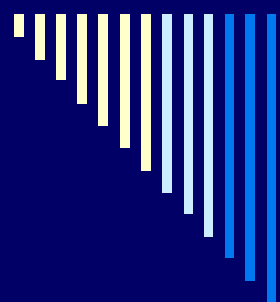
- A quick, easy to use, local option for resolving special education disputes between parents and school districts
- A process that supports and guides parents and district staff to collaboratively develop mutually agreeable solutions



What is the Independent Child Advocate Program?

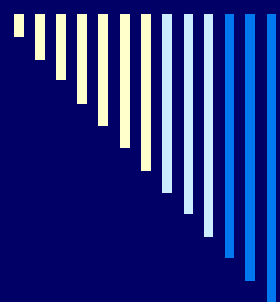
- A results oriented process
- Focused on meeting the child's needs
- While maintaining positive working relationships between parents and school district staff





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 “Ombudsman” role



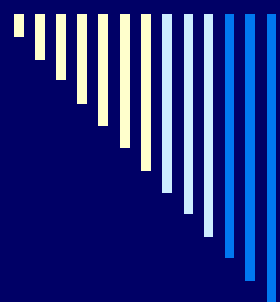
How is the program funded? Who pays?

- 40 Sonoma County (Calif.) school districts fund an Independent Child Advocate position at a local not-for-profit agency; position is solely dedicated to serve the 40 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?

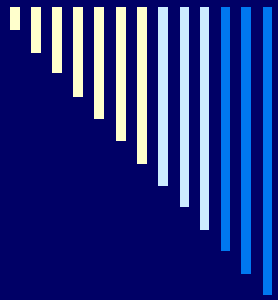
- ADR Coordinator provides Independent Advocate with referral and contact information
- Advocate contacts parent/district within 24 hours, obtains agreement and gets to work



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



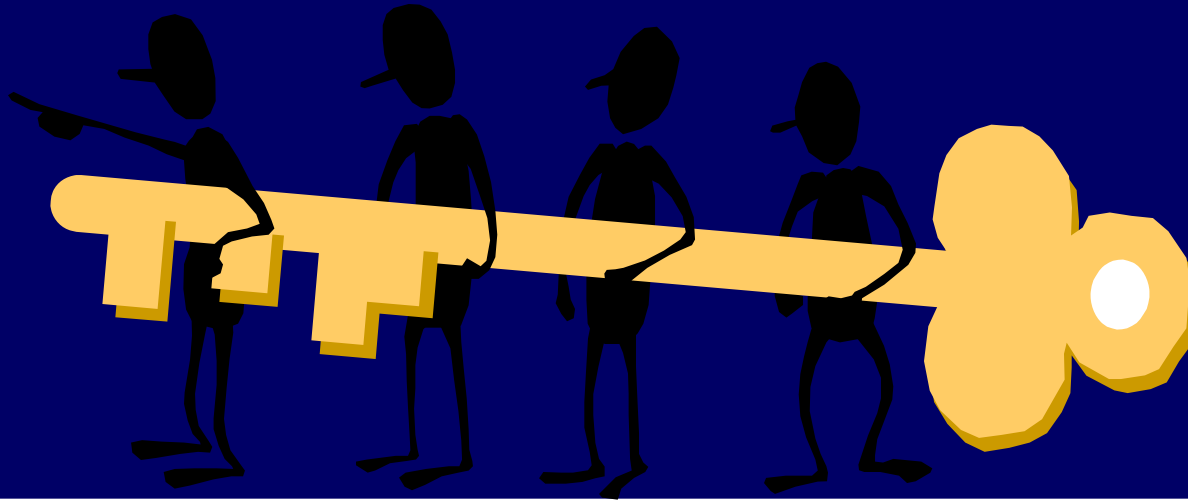


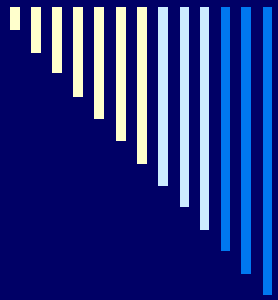
What does the Advocate do?

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

Program Values

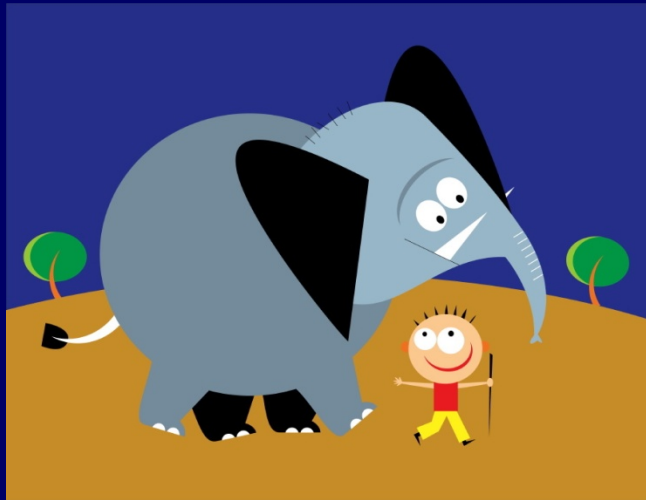
- Open and Honest Communication
- Respectful Relationships
- Conversations: Dialogue, Dialogue, Dialogue

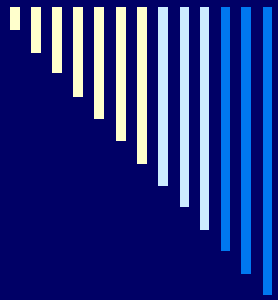




Open and Honest Communication

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





It's All About Respectful Relationships

Communication: Fear of each other keeps us apart, so let's get to the table and talk about what's important



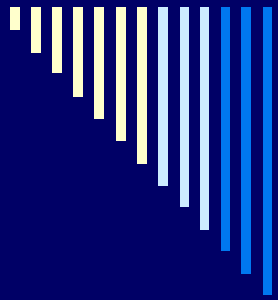
Relationships: it's really all there is

Conversation: the natural way that humans think together

turning to one another

simple conversations to restore hope to the future

By Margaret J Wheatley



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

“Difficult Conversations”

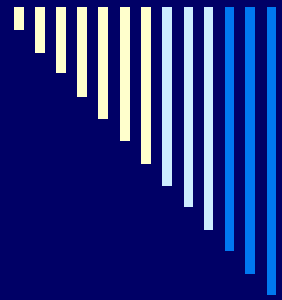
- Difficult conversations defined as conversations where:

- Opinions vary
- Stakes are high
- Emotions run strong



- Sound like IEP/SPED meetings you've attended?

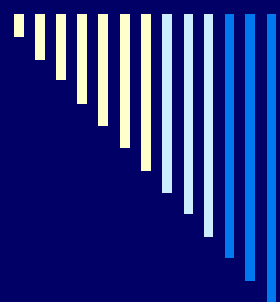
- (*Crucial Conversations: Tools for Talking When Stakes are High*, Paterrson, Grenny, McMillan, Switzler)



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



Benefits of Local Dispute Resolution

Alternative Dispute Resolution

Relationships, Associations

Talk, Interaction, Collaboration,
Discussion, Conversation

Agreement, Understanding

Rewarding, Harmony, Satisfaction

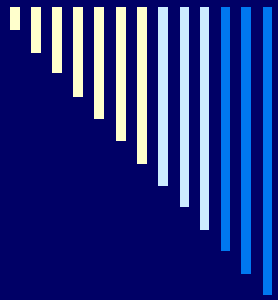
Litigation/Due Process

Legal Authority

Rules of Evidence, Proof,
Substantiation

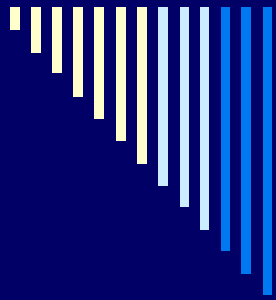
Binding Decisions

Penalty/Pain, Win, Lose,
Adversarial



What are the advantages of using this program?

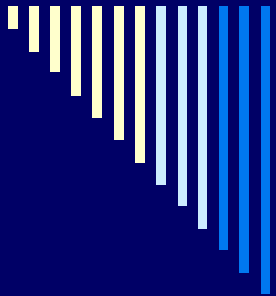
- ICAP is **QUICK**:
 - Begins within 24 – 48 hrs. of request
- ICAP is **EASY**:
 - One call starts the process
- ICAP is **LOCAL**:
 - Maintain control - avoid state intervention
- ICAP is **Cost Effective**:
 - Saves \$\$\$



History of Success

- In 11 years:
 - 91% of all accepted* cases have been successfully resolved without state intervention
 - 483 cases worked - 440 cases successfully resolved
 - Over one million \$'s in savings to schools
 - Positive parent/district relationships

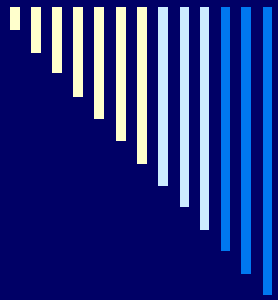
* cases worked and completed with agreement from district/parent



Annual Program Cost:

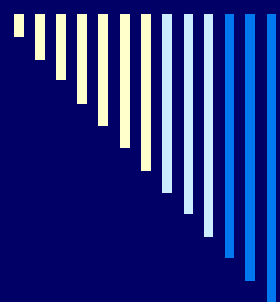
- Contract with Agency
 - (Salary, benefits, admin).....\$ 85,000
- Telephone expenses.....\$ 1,000
- Office Supplies..... \$ 500
- Travel costs.....\$ 4,000

- Total Program Costs:..... \$ 90,500
-
- Cost of fair hearing.....\$40,000 - \$45,000
 - (Avoid two hearings...you've paid for the program)



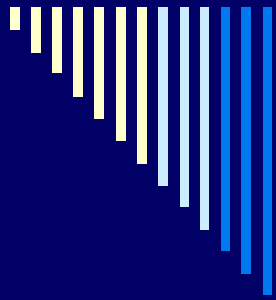
Skills necessary to staff the position:

- *Embrace the spirit of “ADR”*
- Knowledge/experience in SPED law
- Teaching/Classroom experience
- Willingness to understand and embrace parent’s issues
- Experience in mediation and negotiation;
- Flexibility and willingness to find solutions “outside the box”



TRUST AND THE ADR PROCESS

- *T*ogether families and districts work collaboratively
- *R*especting their knowledge as equal partners in the process
- *U*nderstanding diversity and respecting the values and cultures that exist
- *S*hared responsibility for decision making
- *T*rust leads to building relationships that help meet the needs of children



For information on the Independent Child Advocate Program:

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Sonoma County, CA

707- 829-6690